

TOWN OF NATICK

2023 Fall Annual Town Meeting

Finance Committee Recommendation Book

October 6, 2023

Finance Committee 2023 Fall Annual Town Meeting Recommendation Book

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TOWN OF NATICK

Finance Committee

Natick, Massachusetts

October 6, 2023

2023 Fall Annual Town Meeting Recommendation Book

Greetings to all Town Meeting Members and Residents of Natick,

The Finance Committee is pleased to present the 2023 Fall Annual Town Meeting (FATM) Recommendation Book. In accordance with the Town of Natick By-Laws, this report and recommendations are respectfully submitted for your consideration.

The Finance Committee met to consider the FATM Warrant Articles on September 5, 7, 12, 21, 26, and 28 and October 3 and 4, 2023. In addition, the Capital Subcommittee met on September 12, 2023, to consider the fall capital items.

The Division of Local Services (DLS) Financial Management Report dated February 2023 was reviewed at our July 20, 2023, meeting. As a follow up, the Finance Committee established an Audit Subcommittee which, in conjunction with town and school officials, will look to gain a better understanding of our financial processes and procedures.

Please note that FY24 certified Free Cash is not available at the time of this publication and has not been used as a funding source for any articles. FY24 New Growth is expected to be certified prior to Town Meeting.

We would like to express our thanks and appreciation for all the hard work and dedication contributed by all the Town officials, members of boards, committees and departments, as well as many concerned citizens, for their cooperation, participation, and openness during our public hearings.

Information provided to the Finance Committee on all Warrant Articles as well as relevant Town Meeting materials, including this Recommendation Book, are available on the Finance Committee's Town Meeting Member Resource website, which will be updated throughout the FATM sessions:

<https://sites.google.com/natickma.org/fincom>

Respectfully submitted,

Natick Finance Committee

Linda Wollschlager, Chair	Todd Gillenwater, Vice Chair	Cody Jacobs, Secretary
Hossam Behery	Leona Bessonova	Dirk Coburn
Larry Forshner	Garth Gayle	Grace Keeney
Toby Metcalf	Kat Monahan	Richard Pope
Philip Rooney	Patti Sciarra	Betty Yobaccio

October 4, 2023

2023 Fall Annual Town Meeting

Dear Town Meeting Members,

I am honored to provide this message to the 2023 Fall Annual Town Meeting. Since the 2023 Spring Annual Town Meeting, Town Administration has continued to advance our priorities of providing high quality, high value services to the Natick Community, all during a time of uncertainty with continuing impacts from the Pandemic and increased interest rates. We've worked diligently and strategically to fill vacant positions with highly-skilled workers advancing our mission of serving the community. I am excited to report that progress is being made on all fronts, though we still have plenty of work to do.

Town Clerk – This fall, our dedicated and long-serving former Town Clerk, Diane Packer, retired from her position with the town. Ms. Packer provided years of service to the community, not only as an elected Town Clerk but also in volunteer capacities as a member of Town Meeting and School Committee. Ms. Packer was (continues to be!) a mainstay in the community, attending Town Meeting, supervising local elections, and managing the Clerk's Office during a particularly complex era where voting regulations pre and post Pandemic evolved rapidly.

Thank you Diane for all that you contributed to the Natick community!

With the retirement of Ms. Packer, Town Administration welcomed the first appointed Town Clerk, Lynn Kelly! Ms. Kelly has a strong background working in clerk's offices throughout the Commonwealth, most recently in Harvard and Hopkinton. A native of Framingham, Ms. Kelly has stepped seamlessly into the team in the Clerk's Office - listening, learning, and advancing the work of the office as the town prepares for a particularly busy year of local, state, and federal elections. Please stop by and say "Hi!" to Ms. Kelly at Town Hall and join me in welcoming her to the Natick community!

New Growth and Free Cash – Once again, Natick experienced a new growth figure this fall that exceeded budget expectations, led by a strong residential market and personal property sector. Originally budgeted for \$1.1 million for FY 2024, certified New Growth came in at just over \$2 million. Town Meeting members will be asked to appropriate the additional revenue to support a couple of new initiatives, including a new position supporting our Sustainability Director, as well as investing in the General and Capital Stabilization accounts to continue our priority of rebuilding stabilization funds.

As of the date of this letter, the Town's Free Cash number for the 2023 fiscal year is pending certification by the State's Department of Revenue (DOR). Depending on the final Free Cash certification amount, Town Administration intends to seek Town Meeting authorization (likely next spring) to utilize these funds to support three primary objectives:

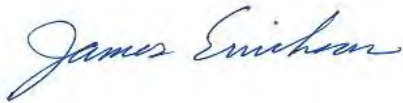
1. continue to replenish the Town's stabilization accounts (General, Operational, and/or Capital);

2. preserve a balance for consideration as part of the FY 2025 budget; and
3. supplement the Capital Improvement Program. This approach is consistent with past years approach to utilizing Free Cash.

Investments in Capital – The FY 2024 capital program is continuing this Fall Town Meeting. Of particular note is the continued focus on investing in our infrastructure – roadways, sidewalks, parks/open space, vehicles and buildings. Much of the program centers on developing stewardship programs for our capital needs, designed to extend the useful life of our investments and provide predictability to our Capital Improvement Program.

Conclusion – Natick continues to be a strong community, with sound financial footing, solid value, sustained growth, and superior services. Natick is rebounding strong from the economic impacts of the pandemic, as witnessed in our New Growth figures and continued investments in capital – a resilience that supports all of our hard work as we advance through FY 2024 and look to FY 2025. I am proud to be a part of such a talented team working to support the Natick community.

Very truly yours,

A handwritten signature in blue ink that reads "James Errickson". The signature is fluid and cursive, with the first name "James" being more prominent than the last name "Errickson".

James Errickson
Town Administrator

MEMO

To: Town Meeting Members
From: Natick Select Board
Date: October 4, 2023
Subject: *Select Board Recommendations for 2023 Fall Annual Town Meeting*

The table below shows the recommendations of the Natick Select Board for consideration by Town Meeting members of certain articles on the 2023 Fall Annual Town Meeting warrant. The Board respectfully requests the consideration of Town Meeting members when these articles are brought up for action.

			Select Board Recommendation to 2023 FATM		
Article #	Article Title	Sponsor	Date of Vote	Recommendation	Quantum
9	Appropriation of Opioid settlement moneys	Town Administrator	9/27/2023	Favorable Action	4-0-0
10	Establish and Authorize Revolving Funds	Town Administrator	9/27/2023	Favorable Action	4-0-0
12	Rescind Article 35 of the 2001 Spring Annual Town Meeting	Select Board	9/27/2023	Favorable Action	4-0-0
13	Apply for Admission to Massachusetts Water Resources Authority	Select Board	9/27/2023	Favorable Action	4-0-0
22	Amend Zoning Bylaw Body Art Establishments in Downtown Mixed Use (DM) Zoning District	Paul R. Joseph, et al.	9/27/2023	Favorable Action	4-0-1
23	To Ensure Safety of Residents living on Dead-End Streets	Roger G. Scott, et al.	9/27/2023	Indefinite Postponement	4-0-0
27	Roles and Responsibilities of the Personnel Board	Select Board	9/27/2023	Favorable Action	5-0-0
32	Paid Family Medical Leave for Town of Natick Employees	Kat Monahan, et al.	9/27/2023	Refer to Sponsor	4-0-0
33	Ensuring Stability: A Proposal for Fixed Annual Real Estate Tax for Long-Term Homeowners	Roger G. Scott, et al.	9/27/2023	Indefinite Postponement	4-0-0

Respectfully,

Natick Select Board
Bruce Evans, Chair

Cc: J. Errickson – Town Administrator
F. Foss – Town Moderator
L. Kelly – Town Clerk
L. Wollschlager – Chair, Finance Committee

PLANNING BOARD REPORT 2023 FALL ANNUAL TOWN MEETING

October 5, 2023

In accordance with Article 40, Section 6 of the By-Laws of the Town of Natick, the Planning Board provides herein its report on warrant article recommendations per Section 3-11(b) of the Charter.

Articles requiring a public hearing

The Planning Board held public hearings for the zoning bylaw-related Town Meeting articles, per M.G.L. c.40A s. 5 as follows:

Warrant Article	Date(s) of Public Hearing
14	September 27
15	September 27
16	September 27
17	September 27
18	September 27
19	September 27
20	September 27
21	September 27
22	September 27

Article 14 – Amend Zoning Bylaw: Use Regulation (Footnotes and References)

The Planning Board reviewed Article 14 at its meeting of September 27. The Board voted to recommend **No Action** at that meeting. Roll call vote 4-0 (*Therrien aye**)

This article, which is sponsored by the Planning Board, proposes substantive changes to the Zoning Bylaw as part of an iterative process to clarify and update Use Regulation. The motions in Articles 15, 16, and 17, propose organizational revisions and took precedence over the substantive changes envisioned in this article. The Board plans to bring this article back to a future Town Meeting.

Article 15 – Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)

The Planning Board reviewed Article 15 at its meeting of September 27, at which the Board voted to recommend **Favorable Action**. Roll call vote 4-0 (*Therrien aye**)

This article, which is sponsored by the Planning Board, is organizational in nature, intended to improve the usability of the Use Regulation Schedule by adding or modifying Use Sections and regrouping and renumbering existing uses within those sections. In two instances, the motion proposes to divide existing Use Categories in two to distinguish the division of uses and different permitting review requirements.

**Planning Board member Andrew Meyer was absent from the Sep. 27 Planning Board public hearing at which the recommendations were voted, resulting in votes by four members. While associate member Chris Therrien was present, by law her vote could not be counted. It is provided for informational purposes.*

Article 16 – Amend Zoning Bylaw: Use Regulation (Zoning Districts)

The Planning Board reviewed Article 16 at its meetings of September 27, at which the Board voted to recommend **Favorable Action**. Roll call vote 4-0 (*Therrien aye**)

The Planning Board is the sponsor of this article, which significantly improves the clarity of the Zoning Bylaw by making the Use Regulations Schedule the Bylaw’s central point of reference concerning Use. Information on uses that are prohibited, permitted, or allowed by Special Permit in the Limited Commercial (LC), Downtown Mixed Use (DM), Center Gateway (CG), and Highway Mixed Use I (HM-I) districts are relocated from the zoning districts’ respective sections of Bylaw and inserted in the Use Regulations Schedule. Supplemental use details for these four districts are incorporated as footnotes in the Schedule.

Article 17 – Amend Zoning Bylaw: Update Use Categories and Definitions

The Planning Board reviewed Article 17 at its meeting of September 27, at which the Board voted to recommend **Favorable Action**. Roll call vote 4-0 (*Therrien aye**)

The Planning Board is the sponsor of this article, which is a “clean-up” of two elements in the Zoning Bylaw that are obsolete or are non-compliant with state statute. One motion proposes to delete the Subsidized Housing (SH) zoning district, established in 1973 and never used, from all relevant sections of the Bylaw. The second addresses language now in the Bylaw that is at odds with MGL Chapter 40A, Section 3 (protected uses related to schools and religious institutions).

Article 18 – Amend Zoning Bylaw: Site Plan Review Procedures

The Planning Board reviewed Article 18 at its meeting of September 27. The Board voted to recommend **No Action** at that meeting. Roll call vote 4-0 (*Therrien aye**)

This article, which is sponsored by the Planning Board, proposes a substantive review and update of the Site Plan Review section of the Zoning Bylaw. To ensure that the review of this important section of the Bylaw was given the utmost care and attention, the Board voted to request No Action at this time. The Board plans to bring this article back to a future Town Meeting.

Article 19 – Amend Zoning Bylaw: Special Permit Procedures

The Planning Board reviewed Article 19 at its meeting of September 27. The Board voted to recommend **No Action** at that meeting. Roll call vote 4-0 (*Therrien aye**)

This article, which is sponsored by the Planning Board, proposes a substantive review and update of the Special Permit process in the Zoning Bylaw. To ensure that the review of this important aspect of the Bylaw was given the utmost care and attention, the Board voted to request No Action at this time. The Board plans to bring this article back to a future Town Meeting.

**Planning Board member Andrew Meyer was absent from the Sep. 27 Planning Board public hearing at which the recommendations were voted, resulting in votes by four members. While associate member Chris Therrien was present, by law her vote could not be counted. It is provided for informational purposes.*

Article 20 – Amend Zoning Map: Highway Mixed-Use I (HM-I) Zoning District

The Planning Board reviewed Article 20 at its meeting of September 27, at which the Board voted to **recommend Favorable Action**. Roll call vote 4-0 (*Therrien aye**)

This article, which is sponsored by the Town Administrator, would change the zoning of several parcels of land now in commercial use from Industrial-II (IN-II) to Highway Mixed-Use (HM-I). This will provide greater opportunities for the development of corporate campuses and, in doing so, provide economic benefit to the town. In the spring of 2023, Town Meeting voted to rezone commercial land on the opposite side of Lake Cochituate similarly.

Article 21 – Re-Zoning of 24 North Main St., 26 North Main St., 30 North Main St.

The Planning Board reviewed Article 21 at its meeting of September 27, at which the Board voted **NO RECOMMENDATION** (tie vote). Roll call vote 2-2-0 (Glaser, Evans) (*Therrien aye**)

This article, which is a citizen petition, would rezone three parcels of land on the west side of North Main Street that are now zoned Residential General (RG) with HOOP-2 overlay, in part to accommodate a property owner whose pre-existing commercial use of two of the parcels had expired due to long-term vacancy. The sponsor did not make a motion with a specific recommendation of the zoning district to which it should be changed, but indicated that Downtown Mixed Use (DM), Center Gateway (CG), or Commercial II would be acceptable. A motion for Favorable Action to rezone the parcels as DM by one member of the Board did not receive a majority of the votes. Informally, members said they encouraged Town Meeting to vote to refer the matter to the sponsor and the Planning Board, to continue to take the matter forward.

Article 22 – Amend Zoning Bylaw: Body Art Establishments in Downtown Mixed-Use (DM) Zoning District

The Planning Board reviewed Article 22, a citizen petition, at its meeting of September 27, at which the Board voted to **recommend Favorable Action**. Roll call vote 4-0 (*Therrien aye**)

This article, which is a citizen petition, would allow Body Art establishments by special permit in the DM district and expands the definition of the use. The use as voted by Town Meeting in 2001 was expressly limited to the Regional Commercial (RC) overlay district. While the Board supported the expansion of this use to the DM district, members noted the need to consider expanding the use in other nonresidential zoning districts in the future.

**Planning Board member Andrew Meyer was absent from the Sep. 27 Planning Board public hearing at which the recommendations were voted, resulting in votes by four members. While associate member Chris Therrien was present, by law her vote could not be counted. It is provided for informational purposes.*

FATM Warrant Articles Requested Appropriations

Art #	Title	Requested Appropriation	Source
2A	Fiscal 2024 Omnibus Budget	\$70,000	New Growth for FY24
2B	Fiscal 2024 Omnibus Budget	\$25,923	New Growth for FY24
5	Stabilization Funds	\$870,662	New Growth for FY24
6	PEG Access and Cable Related Fund	\$406,094.64	PEG Access and Cable Related Fund
7A	Capital Equipment and Improvement	\$6,155,000	Tax Levy and Water/Sewer Borrowing
7B	Capital Equipment and Improvement	\$781,000	Capital Stabilization
7C	Capital Equipment and Improvement	\$259,244	Lease Purchase Finance Agreement
9	Appropriation of Opioid settlement moneys	\$151,299.22	FY2023 Free Cash

Summary of Finance Committee Recommendations on Warrant Articles

Article	Title	Vote date	Recommendation	Quantum of Vote
1	Committee Article	9/21	Favorable Action	11-0-0
2A	Fiscal 2024 Omnibus Budget	10/3	Favorable Action	11-0-0
2B	Fiscal 2024 Omnibus Budget	10/3	Favorable Action	10-1-0
3	Rescind Authorized, Unissued Debt	9/21	Favorable Action	11-0-0
4	Unpaid Bills	9/5	No Action	11-0-0
5	Stabilization Funds	10/3	Favorable Action	11-0-0
6	PEG Access and Cable Related Fund	10/3	Favorable Action	11-0-0
7A	Capital Equipment and Improvement	10/3	Favorable Action	11-0-0
7B	Capital Equipment and Improvement	10/3	Favorable Action	11-0-0
7C	Capital Equipment and Improvement	10/3	Favorable Action	11-0-0
8	Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule	9/5	Favorable Action	10-0-1
9	Appropriation of Opioid settlement moneys	9/5	Favorable Action	11-0-0
10	Establish and Authorize Revolving Funds	9/7	Favorable Action	9-0-0
11	Personnel Board Classification and Pay Plan	9/12	Favorable Action	13-0-0
12	Rescind Article 35 of the 2001 SATM	9/5	Favorable Action	11-0-0
13	Apply for Admission to Massachusetts Water Resources Authority	9/5	Favorable Action	11-0-0
14	Use Regulation (Footnotes and References)	9/28	No Action	13-0-0

15	Use Regulation (Use Section and Category Organization)	9/28	Favorable Action	13-0-0
16	Use Regulation (Zoning Districts)		To be heard 10/10	
17A	Use Regulation (Update Use Categories and Definitions)	10/4	Favorable Action	12-0-0
17B	Use Regulation (Update Use Categories and Definitions)	10/4	Favorable Action	12-0-0
18	Site Plan Review Procedures	9/28	No Action	13-0-0
19	Special Permit Procedures	9/28	No Action	13-0-0
20	Highway Mixed Use-I (HM-I) Zoning District	9/28	Favorable Action	13-0-0
21	Re-Zoning of 24 North Main St., etc	9/28	Referral to Sponsor and Planning Board	13-0-0
22	Body Art Establishments in DM Zoning District	9/28	Favorable Action	13-0-0
23	Ensure Safety of Residents living on Dead-End Streets	9/7	Refer to sponsor	9-0-0
24A	Charter and ByLaw Review Committee Report and Extension	10/4	Favorable Action	11-0-1
24B	Charter and ByLaw Review Committee Report and Extension	10/4	Favorable Action	12-0-0
25	Charter Change		To be heard 10/10	
26	Bylaw Changes		To be heard 10/10	
27	Roles and Responsibilities of the Personnel Board	10/3	Favorable Action	10-0-0
28	Appointment Authority for Comptroller, Police Chief, Fire Chief	10/3	No Action	10-0-0
29	Eligibility of Finance Committee to Serve on Charter Commission	9/7	Favorable Action	8-2-0
30	Replace SATM 2023 Town Seal with 1876 Town Seal	9/12	No Recommendation	6-2-5
31	Safe & Fair Reproductive & Gender Affirming Care Access By-Law	9/21	No Recommendation	7-3-0
32	Paid Family Medical Leave for Town of Natick Employees	9/7	Refer to sponsor, Town Administrator, Select Board, School Committee	8-1-0
33	Fixed Annual Real Estate Tax for Long-Term Homeowners	9/7	Indefinite Postponement	9-0-0

**2023 FALL ANNUAL TOWN MEETING
CONSENT AGENDA MOTION**

Move that the Town take Articles 4, 6, 14, 18 and 19 out of order and that they be “Passed by Consent” in accordance with the Motion published in the Consent Agenda distributed in the Finance Committee Book of Recommendations.

ARTICLE 4 – Unpaid Bills Reauthorize Board of Selectmen to Acquire, Obtain, Abandon or Relocate Easements: Town Administrator

MOTION: Move that the Town vote no action on the subject matter of Article 4.

ARTICLE 6 – PEG Access and Cable Related Fund Appropriation or Transfer of Funds: Town Administrator

MOTION: Move that the Town vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F3/4 of the General Laws, as amended, the sum of \$406,094.64 to fund PEG access programming.

ARTICLE 14 – Amend Zoning Bylaw: Use Regulation (Footnotes and References)

MOTION: Move no action regarding the subject matter of Article 14.

ARTICLE 18 – Amend Zoning Bylaw: Site Plan Review Procedures

MOTION: Move no action regarding the subject matter of Article 18.

ARTICLE 19 - Amend Zoning Bylaw: Special Permit Procedures

MOTION: Move no action regarding the subject matter of Article 19.

[end of motion]

Respectfully submitted,
Frank W. Foss
Natick Town Moderator

10/03/2023

NATICK TOWN MEETING MOTION FORM

I _____ of Precinct____, Natick hereby move to

_____the Main Motion under Article #_____ of the current town meeting

Warrant as follows:

Move that the Town vote to _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signature _____

Seconded

Vote Declared By: _____

Page _____ of _____

Vote: _____

Date: _____

An editable PDF of the Town Meeting Motion Form can be found at:

<https://www.natickma.gov/DocumentCenter/View/8048/Town-Meeting-Motion-Form>

Natick Finance At-A-Glance

The following table and its references are in response to 2021 Fall Annual Town Meeting Article 38. For the complete text of the Article, please reference to page 290 of the FY2024 Town Administrator's Budget Book. Additional information can be found within the budget book. It is important to note that the chart presents the most recent available data. Upon receiving the updates regarding FY24 New Growth and FY24 Free Cash, the chart will be promptly revised and made accessible to Town Meeting members.

Assets & Liabilities	Amount/Balance	Date
Funded Pension Liability	\$217,777,868	6/30/2021
Unfunded Pension Liability	\$75,355,580	6/30/2021
Certi. ed Free Cash	\$11,471,106	11/9/2022
Unappropriated Free Cash Balance	\$ 0	7/1/2023
Retained Earnings - W&S	\$1,108,289	6/30/2022
Retained Earnings - Golf	\$495,977	6/30/2022
General Stabilization	\$2,919,211	7/1/2023
Operational Stabilization	\$4,046,132	7/1/2023
Capital Stabilization	\$1,467,593	7/1/2023
FAR Stabilization	\$2,751,217.23	7/1/2023
I&I Stabilization	\$171,774	7/1/2023
1:1 Tech Stabilization	\$7,921	7/1/2023
OPEB Trust	\$5,931,056	7/1/2023
Overlay Account Balance	\$3,561,384	6/30/2022
Overlay Surplus	\$1,000,000	2/1/2023
Outstanding Debt	\$132,950,902	6/30/2022
Authorized & Unissued Debt	\$75,848,720	6/30/2022
Turnbacks - General Fund	\$3,400,754	6/30/2022
Free Cash - FY2022 Carryover	\$4,292,620	6/30/2022
Estimated State Aid - FY 23	\$17,132,772	4/12/2022
Actual State Aid - FY 23	\$17,477,042	6/30/2022
Estimate New Growth - FY 23	\$1,100,000	4/12/2022
Actual New Growth - FY 23	\$1,841,203	12/1/2022

	Estimated	Actual	Difference
FY 22 Revenues	\$ 168,742,613	\$ 173,358,381	\$ 4,615,768
FY 24 State Aid	\$ 18,382,945	\$ 18,335,076	\$ -47,869
FY 24 State & County Assessments	\$1,338,165	\$ 1,362,275	\$ 24,110
FY 24 Cherry Sheet Offsets	\$ 310,208	\$ 196,257	\$ -113,951
FY 23 New Growth	\$ 1,100,000	\$ 1,841,203	\$ 741,203
FY 22 Snow and Ice Deficit	\$ 550,000	\$ 779,441	\$ 229,441

Revenue & Expenses Summary

GF Revenue / Expenditure Summary	FY2022 Budgeted	FY2022 Actual	FY2023 Revised	FY 2024 Amended	FY 23-FY 24 % Change
TAX LEVY	\$130,838,254	\$130,852,887	\$135,645,162	\$139,827,466	3.08%
STATE AID	\$15,146,380	\$15,312,655	\$17,477,042	\$18,335,076	4.91%
LOCAL RECEIPTS	\$11,909,632	\$16,982,231	\$12,772,292	\$16,256,487	27.28%
INDIRECTS	\$2,909,837	\$2,909,837	\$3,132,537	\$3,521,527	12.42%
FREE CASH	\$1,300,000	\$1,300,000	\$4,292,620	\$10,676,910	148.73%
STABILIZATION FUND (S)	\$5,445,175	\$5,445,175	\$3,000,000	\$0	-100.00%
OVERLAY SURPLUS	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	0.00%
OTHER AVAILABLE FUNDS	\$210,335	\$288,818	\$2,503,734	\$3,274,424	30.78%
TOTAL GENERAL FUND REVENUES	\$168,759,613	\$174,091,603	\$179,823,387	\$192,891,890	7.27%
NATICK PUBLIC SCHOOLS	\$75,063,994	\$73,708,900	\$79,000,000	\$83,279,134	5.42%
KEEFE TECH	\$1,269,137	\$1,250,715	\$1,141,089	\$1,063,493	-6.80%
MORSE INSTITUTE LIBRARY	\$2,388,653	\$2,316,589	\$2,486,772	\$2,538,556	2.08%
BACON FREE LIBRARY	\$184,520	\$168,356	\$227,894	\$233,005	2.24%
PUBLIC SAFETY	\$17,544,432	\$17,426,244	\$19,878,282	\$19,436,855	-2.22%
PUBLIC WORKS	\$9,211,793	\$9,916,112	\$9,892,523	\$10,844,515	9.62%
HEALTH & HUMAN SERVICES	\$2,773,178	\$2,331,115	\$2,915,345	\$2,924,672	0.32%
ADMINISTRATIVE SUPPORT SERVICES	\$7,551,745	\$6,411,849	\$7,647,902	\$8,109,660	6.04%
COMMITTEES	\$115,550	\$71,656	\$117,550	\$117,550	0.00%
FRINGE BENEFITS	\$17,798,416	\$16,311,776	\$18,306,901	\$19,158,314	4.65%
PROP & LIAB. INSURANCE	\$907,170	\$930,500	\$961,600	\$1,103,212	14.73%
RETIREMENT	\$11,711,796	\$11,706,634	\$12,389,586	\$13,127,643	5.96%
DEBT SERVICES	\$13,774,824	\$14,550,793	\$14,254,224	\$16,103,110	12.97%
RESERVE FUND	\$250,000	\$250,000	\$250,000	\$250,000	0.00%
FACILITIES MANAGEMENT	\$3,937,989	\$3,909,345	\$4,458,220	\$4,509,194	1.14%
GENERAL FUND OPER. EXPENSES	\$164,483,197	\$161,260,585	\$173,927,888	\$182,798,913	5.10%
CAPITAL IMPROVEMENTS	\$0	\$0	\$0	\$2,566,200	
SCHOOL BUS TRANSPORTATION	\$421,416	\$535,086	\$429,844	\$0	-100.00%
STATE & COUNTY ASSESSMENTS	\$1,402,459	\$1,360,360	\$1,393,981	\$1,362,275	-2.27%
CHERRY SHEET OFFSETS	\$320,913	\$384,057	\$397,589	\$196,257	-50.64%
SNOW REMOVAL SUPPLEMENT	\$350,000	\$350,000	\$350,000	\$350,000	0.00%
OVERLAY	\$1,150,000	\$1,150,000	\$1,150,000	\$1,150,000	0.00%
GOLF COURSE DEFICIT	\$240,000	\$240,000	\$240,000	\$0	-100.00%
GENERAL STABILIZATION FUND	\$0	\$0	\$0	\$1,469,511	
OPERATIONAL STABILIZATION FUND	\$0	\$0	\$0	\$2,084,910	
CAPITAL STABILIZATION FUND	\$0	\$0	\$0	\$500,000	
OPEB TRUST FUND	\$225,900	\$225,900	\$250,000	\$250,000	0.00%
MISC. ARTICLES	\$20,000	\$378,250	\$20,000	\$50,000	150.00%
SUB-TOTAL	\$4,130,688	\$4,623,653	\$4,231,414	\$9,979,153	135.83%
TOTAL GENERAL FUND EXPENSES	\$168,613,885	\$165,884,238	\$178,159,302	\$192,778,066	8.21%
NET EXCESS / (DEFICIT)				\$113,824	



MA Department of Revenue

Division of Local Services
Final Municipal Cherry Sheet Estimates
Data current as 8/9/2023

C.S. 1-ER Commonwealth of Massachusetts Department of Revenue FY2024

NOTICE TO ASSESSORS OF ESTIMATED RECEIPTS

General Laws, Chapter 58, Section 25A

Natick

A. EDUCATION

Distributions and Reimbursements

Chapter 70	13,165,735
School Transportation	0
Charter Tuition Reimbursement	57,067
Smart Growth School Reimbursement	0

Offset Items - Reserve for Direct Expenditure:

School Choice Receiving Tuition	112,549
Sub-Total, All Education Items:	13,335,351

B. GENERAL GOVERNMENT:

Distributions and Reimbursements

Unrestricted General Government Aid	4,555,463
Local Share of Racing Taxes	0
Regional Public Libraries	0
Veterans Benefits	96,845
Exemp: VBS and Elderly	68,907
State Owned Land	194,802

Offset Items - Reserve for Direct Expenditure:

Public Libraries	83,708
Sub-Total, All General Government:	4,999,725

C. TOTAL ESTIMATED RECEIPTS: **18,335,076**

C.S. 1-ER Commonwealth of Massachusetts Department of Revenue FY2024
NOTICE TO ASSESSORS OF ESTIMATED CHARGES
General Laws, Chapter 59, Section 21

Natick

A. COUNTY ASSESSMENTS:

County Tax	0
Suffolk County Retirement	0
Sub-Total, County Assessments:	0

B. STATE ASSESSMENTS AND CHARGES:

Retired Employees Health Insurance	0
Retired Teachers Health Insurance	0
Mosquito Control Projects	87,131
Air Pollution Districts	15,415
Metropolitan Area Planning Council	21,110
Old Colony Planning Council	0
RMV Non-Renewal Surcharge	25,340
Sub-Total, State Assessments:	148,996

C. TRANSPORTATION AUTHORITIES:

MBTA	255,353
Boston Metro. Transit District	0
Regional Transit	627,664
Sub-Total, Transportation Assessments:	883,017

D. ANNUAL CHARGES AGAINST RECEIPTS:

Multi-Year Repayment Program	0
Special Education	19,413
Sub-Total, Annual Charges Against Receipts:	19,413

E. TUITION ASSESSMENTS:

School Choice Sending Tuition	100,648
Charter School Sending Tuition	210,201
Sub-Total, Tuition Assessments:	310,849

F. TOTAL ESTIMATED CHARGES:	1,362,275
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LA13 Tax Base Levy Growth

Retain documentation for 5 years in case of DOR audit - Fiscal Year 2023

Property Class	(A) All Prior Year Abatement No.	(B) All Prior Year Abatement Values	(C) New Growth Valuation	(D) PY Tax Rate	(E) Tax Levy Growth
RESIDENTIAL					
SINGLE FAMILY (101)	1	50,700	71,079,000		
CONDOMINIUM (102)	0	0	10,495,700		
TWO & THREE FAMILY (104 & 105)	0	0	1,897,300		
MULTI - FAMILY (111-125)	0	0	0		
VACANT LAND (130-132 & 106)	0	0	10,258,700		
ALL OTHERS (103, 109, 012-018)	0	0	2,096,700		
TOTAL RESIDENTIAL	1	50,700	95,827,400	13.34	1,278,338
OPEN SPACE	0	0	0		
OPEN SPACE - CHAPTER 61, 61A, 61B	0	0	0		
TOTAL OPEN SPACE	0	0	0	0.00	0
COMMERCIAL	2	5,665,700	13,221,200		
COMMERCIAL - CHAPTER 61, 61A, 61B	0	0	0		
TOTAL COMMERCIAL	2	5,665,700	13,221,200	13.34	176,371
INDUSTRIAL	0	0	312,500	13.34	4,169
PERSONAL PROPERTY	3	106,940	28,660,026	13.34	382,325
TOTAL REAL & PERSONAL	6	5,823,340	138,021,126		1,841,203

Community Comments:

Signatures

Board of Assessors

Eric Henderson, Dir. of Assessing , Natick , ehenderson@natickma.org 508-647-6420 | 10/3/2022 3:08 PM

Comment: Signed on behalf of BOA

General Fund 5-Yr Forecast

General Fund Forecast	FY 2025 Forecast	FY 2026 Forecast	FY 2027 Forecast	FY 2028 Forecast	FY 2029 Forecast	FY 25-29 % Change
Tax Levy	\$143,933,072	\$148,352,636	\$152,784,437	\$157,344,044	\$162,029,326	3.00%
State Aid	\$18,978,749	\$19,648,129	\$20,342,750	\$21,063,572	\$21,811,595	3.54%
Local Receipts	\$18,261,446	\$18,482,451	\$19,035,531	\$19,610,127	\$20,207,292	2.57%
Indirects	\$3,678,052	\$3,841,581	\$4,012,430	\$4,190,926	\$4,377,413	4.45%
Free Cash - Operational	\$3,177,519	\$3,176,794	\$3,176,061	\$3,175,322	\$3,174,575	-0.02%
Free Cash - Non-Operational	\$822,481	\$823,206	\$823,939	\$824,678	\$825,425	0.09%
Stabilization Fund(s)	-	-	-	-	-	
Overlay Surplus	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	0.00%
Other Available Funds	\$1,307,806	\$150,336	\$143,653	\$136,063	\$150,336	-21.94%
Total General Fund Revenues	\$190,659,125	\$194,975,133	\$200,818,801	\$206,844,732	\$213,075,962	2.82%
General Government	\$42,792,517	\$44,138,207	\$45,533,478	\$46,950,494	\$48,449,885	3.15%
Education	\$89,674,147	\$92,761,046	\$95,954,865	\$99,259,321	\$102,678,261	3.44%
Shared Expenses	\$55,941,500	\$57,485,565	\$59,036,342	\$61,211,581	\$63,400,691	3.18%
Capital Improvements	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	0.00%
Stabilization Fund(s)	\$322,481	\$323,206	\$323,939	\$324,678	\$325,425	0.23%
Other Below-the-line Items	\$3,762,312	\$3,782,801	\$3,809,803	\$3,841,308	\$3,876,912	0.75%
Total General Fund Expenses	\$192,992,957	\$198,990,825	\$205,158,427	\$212,087,382	\$219,231,174	3.24%
Net Excess/(Deficit)	(\$2,333,832)	(\$4,015,692)	(\$4,339,626)	(\$5,242,650)	(\$6,155,212)	

ARTICLE 1
Committee Article
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to hear and discuss the reports of town officers, boards, and committees; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To hear and discuss the reports of town officers, boards, and committees.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 21, 2023

MOTION (Requires a Majority Vote)

Move to hear and discuss the report from the Thomas Sawin Homestead Preservation Committee.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Mr. Henry Haugland

Mr. Haugland gave a summary of the work the committee has done thus far to preserve the Thomas Sawin House and a brief history surrounding the house. Efforts have been made since January 2018 to come to an agreement with the current owners of the property, the Massachusetts Audubon Society, whereby the town would acquire the Thomas Sawin House and a nonprofit 501(c)(3) would be formed to repair, maintain and manage the property.

The presenter discussed the historical and cultural significance of this property as a symbol to commemorate a period of time in the history of Natick. The gift of land to Thomas Sawin from the Nipmuc Indians to build a gristmill and two sawmills, was the first major business partnership between the Native Americans and the Colonies and had a profound impact on the community and the development of Natick.

On September 20, 2023, the Select Board voted to have the Town Administrator and the Select Board chair work with members of the committee to schedule and conduct a meeting with Mass Audubon to restart discussions.

~~ **END OF ARTICLE** ~~

ARTICLE 2
Fiscal 2024 Omnibus Budget
(Town Administrator)

ARTICLE LANGUAGE

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of; the Morse Institute Library and, the Bacon Free Library for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

or otherwise act thereon.

PURPOSE OF THE ARTICLE

To make adjustments to the current FY 2024 budget to reflect necessary changes to the operations of the Town of Natick.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTIONS A & B

Presenter: Mr. John Townsend, Deputy Town Administrator and Finance Director

The presenter walked the committee through the appropriation requests, and the funding source and certification timing.

FINANCE COMMITTEE RECOMMENDATION – MOTION A

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION A (Requires a Majority Vote)

"Move that the Town vote to increase the appropriation voted by the 2023 Spring Annual Town Meeting under article 7 by the sum of \$70,000 said sum to be distributed as follows:

- To supplement the General Government budget as voted under Article 7 Motion C4 of the 2023 Spring Annual Town Meeting by adding \$35,000 to Select Board Salaries.
- To supplement the Shared Expenses budget as voted under Article 7 Motion D1 of the 2023 Spring Annual Town Meeting by adding \$35,000 to Other Personnel Services.

With the above budget supplement to be raised from the following source: New Growth for Fiscal Year 2024 - \$70,000.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A

Motion A consists of supplemental funding for:

- Addition of a half year funding for a new position - Administrative Support within the Sustainability Department: \$35,000.
- Addition of funding for cancer screening for Fire Department personnel: \$35,000

A member asked about the current staffing of the Sustainability Department. The Administration explained that the department currently consists of a single individual, and that this will add needed administrative support. One of the major efforts by the department is grant writing - which has been an excellent source of funding (several million dollars over the recent years). There is currently more granting writing and tracking/management than can be completed with current staff levels, and grants that the town may be eligible for are being left on the table.

Members asked about the Fire Department cancer screening. This is a program included within the department's collective bargaining agreement(s). Covered personnel are permitted to get a full body scan every 5 years. This will be an annual, recurring expense - but this year's appropriation may be higher than average, due to the timing of more individuals being eligible this cycle based on when they joined the department. The program funds reimbursement of each individual's scan by an outside provider.

FINANCE COMMITTEE RECOMMENDATION – MOTION B

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	10-1-0
	DATE VOTED:	October 3, 2023

MOTION B (Requires a Majority Vote)

“Move that the Town vote to increase the appropriation voted by the 2023 Spring Annual Town Meeting under article 7 by the sum of \$25,923 for the payments required in the first fiscal year of the lease purchase financing agreement authorized by the town under General Laws Chapter 44, Section 21C, for the acquisition of Police Tasers, said sum to be distributed as follow:

- To supplement the Shared Expenses budget as voted under Article 7 Motion D5 of the 2023 Spring Annual Town Meeting by adding \$25,923 to Debt Service Expenses.

With the above budget supplement to be raised from the following source: New Growth for Fiscal Year 2024 - \$25,923.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B

Motion B consists of supplemental funding for acquisition of Tasers for the Police Department

Members had multiple questions regarding the Police Department Taser program being funded under this article, and under the Capital article. The presenter explained that the portion funded under this article is the current Fiscal Year portion of a five year Lease/Purchase program. The remaining years’ funding are part of the Capital request under Article 7.

Multiple members questioned various aspects of the requests, including costs and bundled services. Between Article 2 and Article 7, the funding requests for the Taser program total \$285,147 - which covers 5 years. This works out to roughly \$1,100 per week. Members thought that \$1,100 per week on Tasers seems high, and sought information on the breakdown of the program expense into categories such as: Actual deployment involving the public, training, and eventual equipment obsolescence. The presenter indicated that the cost includes service and maintenance, as well as software for tracking how units are issued. Additional program metrics would need to be provided by the police department.

A member questioned the contract provisions relative to bundling necessary services along with the equipment, and the requirement to go to a Lease/Purchase contract. The presenter indicated that the proposal had gone through the required procurement process, and this was the outcome. It was also noted that the current Tasers are no longer supported by the vendor, and that parts and service have been a challenge.

A member asked what happens if only one part of the funding appearing in Article 2 and Article 7 were to pass. The presenter indicated that both pieces would need to pass, or a different funding method would be necessary.

~~ **END OF ARTICLE** ~~

ARTICLE 3
Rescind Authorized, Unissued Debt
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To rescind authorized but unissued debt of the Town from one or more borrowing appropriations voted by Town Meeting.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 21, 2023

MOTION (Requires a Majority Vote)

Move that the Town vote to rescind authorized unissued debt for capital projects that have been determined are no longer needed for the completion of the following projects:

TM Article	Date of Vote	Amount Appropriated	Amount Rescinded	Project
2006 SATM Art. 14	5/4/2006	\$710,000	\$710,000	Parking Garage
2010 FATM Art. 10, Motion C, Item 10	10/21/2010	\$150,000	\$150,000	Replace Ground Water Wells
2013 SATM Art. 14 Motion B, Item 10	4/25/2013	\$180,000	\$55,000	Police Replace Rooftop HVAC Unit
2013 FATM Art. 19 Motion B, Item 3	10/22/2013	\$1,200,000	\$30,000	Cole North Field
2013 FATM Art. 18 Motion B, Items 14	10/22/2013	\$150,000	\$150,000	Departmental Equipment - DCC Controls
2014 SATM Art. 36, Motion B, Item 2	5/8/2014	\$2,000,000	\$153,000	Pine Street Roadway
2014 FATM Art. 33, Motion B, Item 7	11/6/2014	\$100,000	\$20,000	Cole Center Air Handler
2015 FATM Art. 10, Motion G, Item 3	10/22/2015	\$250,000	\$125,000	Engineering Charles River Bridge
2018 STM #1 Art. 1	2/27/2018 & 3/27/2018	\$105,835,000	\$40,366,762	Kennedy Middle School Construction (EXEMPT)
2020 STM #1 Art. 13, Motion B Item 1	10/22/2020	\$200,000	\$80,000	DPW Replacement Vehicle - F-450 w/Crane
2020 STM #1 Art. 13, Motion D, Item 2	10/22/2020	\$30,000	\$4,000	HD Utility Vehicle – Golf Course
2020 STM #1, Art. 13, Motion A Item 11	10/22/2020	\$5,627	\$5,627	Police Radio System Level Meter
2022 SATM Art.15, Motion D, Item 1	4/28/2022	\$150,000	\$100	Replace Vehicle 624 (W-13) Skid Steer – Water & Sewer

Total Amount Rescinded

\$41,849,389

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Mr. Jon Marshall, Deputy Town Administrator Operations, presented Article 3. He noted that the administration is proposing to rescind borrowing on 13 items previously approved by Town Meeting:

- 9 projects are complete, and the remaining authorization is no longer needed.
- 3 projects are older than 10 years old and haven't been started (Parking Garage, Ground Water Wells, Departmental Equipment - DCC Controls). They could be brought back at a future Town Meeting, likely with adjusted amounts.
- 1 project used a different funding source (Police Radio System).

Questions from the Committee

A member asked why the Charles River Dam repair funding was not included on this list. Mr. Marshall replied that the administration decided not to bring it forward at this Town Meeting, but it is being discussed.

~~ END OF ARTICLE ~~

ARTICLE 4
Unpaid Bills
(Town Administrator)

ARTICLE LANGUAGE

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To appropriate funds to pay unpaid bills from the prior fiscal year (FY 23).

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 5, 2023

MOTION (Requires a Majority Vote)

Move No Action on the subject matter of Article 4

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Town Administration noted that there are no unpaid bills from the prior fiscal year and requested a recommendation of “No Action.”

~~ **END OF ARTICLE** ~~

ARTICLE 5
Stabilization Funds
(Town Administrator)

ARTICLE LANGUAGE

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Stabilization Fund established under Article 22 of 1961 Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Operational Stabilization Fund established under Article 4 of the 2011 Spring Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for, the Other Post-Employment Benefits Liability Trust Fund established under Article 15 of the 2017 Spring Annual Town Meeting pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the 2010 Fall Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

or otherwise act thereon.

PURPOSE OF THE ARTICLE

To supplement the General, Operational/Rainy Day or Capital Stabilization Funds or to appropriate additional funds to the OPEB Trust Fund.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION (Requires a Majority Vote)

“Move that the Town vote to appropriate \$870,662 from New Growth for the purpose of supplementing the Town’s Stabilization Funds as follows:

- \$501,204 from New Growth for Fiscal Year 2024 for the purpose of supplementing the General Stabilization Fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended.
- \$369,458 from New Growth for Fiscal Year 2024 for the purpose of supplementing the Capital Stabilization Fund established by the vote of Article 2 of the 2010 Fall Annual Town Meeting, as authorized by chapter 40, Section 5B of the General Laws, as amended.”

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Mr. John Townsend, Deputy Town Administrator and Finance Director

QUESTIONS FROM THE COMMITTEE

A member asked for more information on the funding source. Mr. Townsend explained New Growth had been used as a funding source in prior appropriations, and that the calculations for FY2024’s New Growth had been submitted to the Department of Revenue, but that final certification had not yet been received. Certification is expected in advance of Town Meeting.

A member asked how these appropriations impacted each fund’s balance with respect to the target balances established by the town’s fiscal policies. The presenter indicated that this appropriation would bring the General Stabilization Fund up to pre-pandemic levels, and 100% of the target. The Capital Stabilization Fund does not have a target dollar goal, but has been typically funded via the local Hotel and Meals tax surcharge, and this appropriation is made as that funding source recovers post-pandemic.

A member asked about plans for additional funding of the various Stabilization accounts. The presenter indicated that plans would be developed.

~~ END OF ARTICLE ~~

ARTICLE 6
PEG Access and Cable Related Fund
(Town Administrator)

ARTICLE LANGUAGE

To see what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F $\frac{3}{4}$ of the General Laws, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To transfer PEG related funds currently held in various Town of Natick general accounts into specific accounts dedicated to the PEG services provided to the Town and residents.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION (Requires a Majority Vote)

"Move that the Town vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F $\frac{3}{4}$ of the General Laws, as amended, the sum of \$406,094.64 to fund PEG access programming. "

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Mr. John Townsend, Deputy Town Administrator and Finance Director

Mr. Townsend explained that this is the regular Article for funding the Pegasus public educational and governmental (PEG) TV access. It is funded by fees that come from the cable providers in Town which are collected throughout the year. Currently, the Town has \$406,094.64 to pass along to Pegasus.

QUESTIONS FROM THE COMMITTEE

A member asked all anticipated funds had been received, or if waiting for a while may yield additional funds for Pegasus. The presenter indicated that additional funds may yet be received, but anything missing this Town Meeting would be included in future remittances.

~~ END OF ARTICLE ~~

ARTICLE 7
Capital Equipment and Improvement
(Town Administrator)

ARTICLE LANGUAGE

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide to implement a Capital Improvement Program as may be required for capital equipment for the various departments of the Town of Natick; to protect the physical infrastructure of the Town of Natick, to add new physical infrastructure, or to improve community assets; and further to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To fund the Town's capital equipment and improvement needs.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – ALL MOTIONS

Jon Marshall, Deputy Town Administrator, presented Article 7 (see further discussion under individual motions A-C in the following pages).

FINANCE COMMITTEE RECOMMENDATION – MOTION A

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION A (Requires a 2/3 Vote)

Move that the Town vote to appropriate the sum of \$6,155,000 to be expended as follows:

- **Under the direction of the Facilities Management Department for the purpose of:**
 - **Building HVAC Upgrades**
- **Under the direction of the Public Works Department for the purpose of:**
 - **Park and Field Renovations**
 - **Vehicle and Equipment Replacement Program**
 - **Roadway and Sidewalk Supplement**
 - **Replacement of Captain Tom's Booster Pump Station**

all individually shown as items 1 through 6 in Table A below, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$6,155,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$6,155,000 in principal amount and that the Town Administrator with the approval of the Select Board is authorized to take any action necessary to carry out this program, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Motion A (Table A) – Capital Equipment & Improvement

Item #	Department	Request Title	Amount	Funding Source
1	Facilities Management	Building HVAC Upgrades	\$165,000	Tax Levy Borrowing
2	Public Works	Park and Field Renovations	\$175,000	Tax Levy Borrowing
3	Public Works	Vehicle and Equipment Replacement Program	\$1,890,000	Tax Levy Borrowing
4	Public Works	Roadway & Sidewalk Supplement	\$2,500,000	Tax Levy Borrowing
5	Public Works	Vehicle and Equipment Replacement Program	\$625,000	Water/Sewer Borrowing
6	Public Works	Replacement of Captain Tom's Booster Pump Station	\$800,000	Water/Sewer Borrowing

\$4,730,000 Tax Levy Borrowing

\$1,425,000 Water/Sewer Borrowing

\$6,155,000 Total - Borrowing

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A

Questions from the Committee

A member asked whether we were allowed to vote on items funded by water/sewer borrowing at the same time as items funded by tax levy borrowing. Mr. Marshall said they hadn't done it that way in the past but that they checked with Town Counsel, and it was allowed so this just makes it more efficient.

A member noted the street sweeper and sanitation truck were both from 2017 or 2018 and asked whether this relatively short life expectancy was normal. Mr. Marshall explained that both of these vehicles deteriorate quickly because of the nature of their use which accumulates significant wear and tear quickly. He also added that due to supply chain issues, it will take over a year before they actually get these replacement vehicles.

The same member asked whether the costs of the vehicles were subject to change. Mr. Marshall said they do get quotes leading up to Town Meeting but until we actually execute an agreement, the quote can change.

Another member asked if Mr. Marshall could unpack the road and sidewalk supplement and what that does. Mr. Marshall said that the roadway and sidewalk supplement is tied to the five-year roadway and sidewalk plan. This funding will allow us to tackle a year of that plan, but this is only a portion of that funding because there is also Chapter 90 funding from the state. This is planned out a few years in advance.

A member asked if this has been run by the public works department as to whether we will be able to spend the \$2.5 million being allocated for roadway and sidewalks. Mr. Marshall explained that Town Meeting would be authorizing this borrowing, but the actual borrowing wouldn't happen unless we were ready to move forward with a project.

Building HVAC Upgrades

- HVAC systems have a typical lifespan of 25-30 years
- Projects enables systems to be designed, rebuilt and replaced
- This is one component of the Facilities Maintenance stewardship program



Appropriation Request \$165,000

20

Park and Field Renovations

- Funds used to improve park and athletic spaces
- Replacement to park components including backstops, irrigation systems
- Re-grading of athletic fields/infields



Appropriation Request \$175,000

Vehicle/Equipment Replacement Program

• Catch basin Truck	\$545,000
• Sanitation Truck	\$460,000
• Street Sweeper	\$425,000
• Sidewalk Machine	\$300,000
• Backhoe	\$275,000
• Police Cruiser Replacement (3) vehicles	\$240,000
• Recreation Bus	\$160,000
• Towable Generator	\$150,000
• Water Department Truck	\$150,000
• Water Department Forklift	\$50,000

• Tax Levy Borrowing	\$1,890,000
• Free Cash/Capital Stabilization	\$240,000
• Water/Sewer Borrowing	\$625,000

Catch Basin Truck

-
- Replace 2009
 - Used to clean catch basins town wide
 - Over 80,000 miles and 2,000 engine hours at time of replacement
 - Town's only catch basin cleaner truck



Appropriation Request \$545,000

27

Sanitation Truck

- Replace 2017 Peterbilt
- Over 112,536 miles and 9,300 engine hours
- Engine needs rebuilding, Hydraulic system worn



Appropriation Request \$460,000

28

Street Sweeper

- Replace 2018
- Sweeper is used for general street cleaning as well as post storm cleanup
- Need new hopper box and main vacuum
- Electrical needs to be complete rewired



Appropriation Request \$425,00

29

Sidewalk Machine

- Replace 2006
- Used to remove snow from downtown/school walkway routes
- Transmission has failed and machine does not operate once warm



Appropriation Request \$300,000

30

Backhoe

- Replace 2008
- Over 4,884 engine hours at time of replacement
- Transmission has several points of oil leakage requiring full reseal



Appropriation Request \$275,000

31

Recreation Bus

- Replaces 2014
- Over 65,000 miles at time of replacement
- Body panels are starting to age and crack
- Interior components, clips, seats are worn to use and wear and tear
- Anticipate at least a 12 month lead time



Appropriation Request \$160,000

33

Towable Generator

- Replaces 1998
- Used to power pump stations
- Unreliable and used as a last option
- Sourcing parts has become extremely difficult



Appropriation Request \$150,000

34

Water Department Truck

- Replaces 2014
- Over 85,000 miles and 12,607 engine hours
- Transmission is slipping and will need replacement
- Issues with 4 wheel drive system



Appropriation Request \$150,000

35

Water Department Fork Lift

- Replaces 1997
- Frequent issues with hydraulic lift system
- Sourcing parts has become extremely difficult

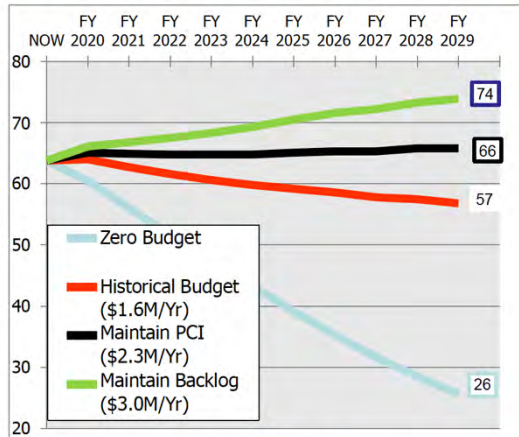


Appropriation Request \$50,000

36

Roadway and Sidewalk Supplemental

- Supplement to Chapter 90 Funding
- Annual Roadway Improvement Contract
- Five Year Roadway Improvement Plan



Appropriation Request \$2,500,000



25

Replacement of Booster Pump Station “Captain Tom”

- The booster pump station will be replaced
- Current station is underground and has had equipment issues due to prior flooding event
- Station will be moved from below ground to above ground



Appropriation Request \$800,000

22

FINANCE COMMITTEE RECOMMENDATION – MOTION B

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION B (Requires a 2/3 Vote)

Move that the Town vote to appropriate the sum of \$781,000 to be expended as follows:

- **Under the direction of the Police Department for the purpose of:**
 - **Defibrillators Replacement**
- **Under the direction of the Public Schools Department for the purpose of:**
 - **Firewall Replacement Project – NHS Data Center**
 - **School Switch Replacement Project – District Wide**
- **Under the direction of the Public Works Department for the purpose of:**
 - **Install Pedestrian Warning Beacons**
 - **Street Acceptance Plan Preparation**
 - **Vehicle and Equipment Replacement Program**
 - **Sustainability – Efficiency Upgrades**
- **Under the direction of the Town Clerk for the purpose of:**
 - **Historic Document Preservations**

all individually shown as items 1 through 8 in Table B below, and that to meet this appropriation the sum of \$781,000 be raised from the Capital Stabilization Fund.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B

Questions from the Committee

A member asked where the pedestrian warning beacons this article proposes funding would be placed. Mr. Marshall explained that they are working through a backlog of locations that have already been approved by the Select Board and the Safety Committee. He didn't have the exact locations in front of him but said that he would get that for Town Meeting. [Following the meeting, Mr. Marshall provided the following additional information via e-mail "The Town is in the process of completing 3 locations with existing funding, Speen St/Nottingham, Bacon Street/Lilja School, Oak Street/MacArthur. This appropriation will allow us to tackle 3 additional locations, the ones we are hoping to address next are: Fisher St/CRT Crossing, West Central St @ Planet Fitness, Mill Street @ Ranger Road. Administration

will be back at the Spring Town meeting seeking additional funding for additional locations that are currently being reviewed and planned by staff.”]

The same member asked if the street acceptance preparation plan was for a consultant. Mr. Marshall explained that this funding would be used to prepare survey work if a street reaches that stage in the street acceptance process recently approved by the Select Board.

Defibrillators Replacement

- Units have reached end of useful life
- Experiencing issues with Batteries
- 20 Units will be replaced



Appropriation Request \$40,000

11

Firewall Replacement Project

- Firewalls protect the school network
- Current firewalls are reaching end of life and will no longer be supported

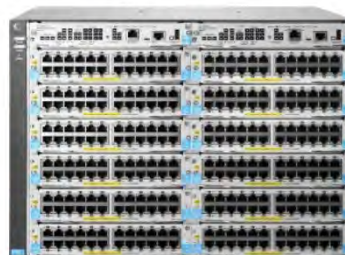


Appropriation Request \$100,000

13

School Switch Replacement

- This is a multi year project
- Switches are due for replacement
- Switch upgrades will support future planned security upgrades



Appropriation Request \$100,000

19

Install Pedestrian Warning Beacons

- Pedestrian warning beacons to improve safety at street crossings
- Funding will address 3 locations that have been approved by the Select Board

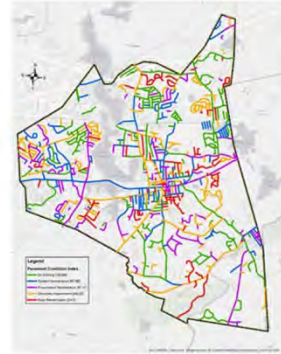


Appropriation Request \$51,000

12

Street Acceptance Plan Preparation

- Preparation of street acceptance plans
- Street acceptance plans are a necessary component to the formal public street acceptance process



Appropriation Request \$50,000

Police Cruiser Replacement

Over 100,000 miles at replacement

Three Police Interceptors

Vehicles are used by 3 shifts – 7 days a week



Appropriation Request \$240,000

Sustainability – Efficiency Upgrades

- Projects support infrastructure upgrades that deliver annual energy savings.
- These funds are used to leverage additional state and federal grant opportunities.



Appropriation Request \$100,000

Historical Document Preservations

- Continuation of multi-year preservation project initiated over 9 years ago
- Preserves and restores historical documents and permanent records
- Includes digitizing of documents or additional formats



Appropriation Request \$100,000

1

FINANCE COMMITTEE RECOMMENDATION – MOTION C

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	October 3, 2023

MOTION C (Requires a 2/3 Vote)

Move that the Town vote to authorize, under General Laws Chapter 44, Section 21C, upon the recommendation of the Select Board, a lease purchase finance agreement in the Amount of \$259,224 for the acquisition of Tasers, equipment that may be acquired through the issuance of debt under G.L.c. 44, the term of such agreement not to exceed five years, the useful life of the equipment as determined by the Select Board, and the Select Board shall be authorized to enter into such agreement on behalf of the Town.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION C

Mr. Townsend stated that the Select Board needs to approve the useful life of the equipment and make a recommendation to Town Meeting to approve the lease financing program. On October 4, 2023, the Select Board voted a) to accept that the useful life of the tasers was 5 years and b) to recommend that the town enter a lease/purchase agreement.

Questions from the Committee

A member asked whether this motion actually authorizes borrowing of this amount so that the administration would not have to seek funding for this later. Mr. Marshall confirmed that was correct.

Debate

A member indicated that although he was initially concerned about the cost of these tasers, he felt reassured by learning that they also come with service and monitoring software from the vendor. He said this was an important thing for our public safety employees to have and that he would be supporting it.

Taser Replacement

- Tasers have become standard equipment for all uniformed officers
- The current model of Tasers is being discontinued and the manufacturer will no longer be making replacement parts
- The department has experienced more frequent repairs with the current Tasers



Appropriation Request \$259,224

24

~~ END OF ARTICLE ~~

ARTICLE 8
Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 203C and to authorize the trustee of the OPEB Trust fund established under Article 15 of the 2017 Spring Annual Town Meeting, as authorized by Chapter 32B, Section 20 of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

PURPOSE OF THE ARTICLE

To allow the investment of OPEB Trust Funds using the Prudent Investor Rule hopefully increasing revenues for the Fund.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	10-0-1
	DATE VOTED:	September 5, 2023

MOTION (Requires a Majority Vote)

Move that the Town vote to accept the provisions of Massachusetts General Laws Chapter 203C and to authorize the trustee of the OPEB Trust fund established under Article 15 of the 2017 Spring Annual Town Meeting, as authorized by Chapter 32B, Section 20 of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Mr. John Townsend, Deputy Town Administrator of Operations, presented Article 8 to the Finance Committee on September 5, 2023. He explained that the article pertains specifically to Natick's OPEB Trust Fund which was twice authorized, first in 2011, and again at the 2017 Spring Annual Town Meeting. Currently, the OPEB trustee is subject to MGL Chapter 44 Section 54, and is required to limit investments to a legal list approved by the Commonwealth Commission of Banks and must direct its funds like a savings bank of the Commonwealth would. Favorable Action on the article would allow the

OPEB trust administrator to invest and direct the funds per MGL 203C, the Prudent Investor Rule, which allows for a wider range of investments and actions.

The investment advisors, Bartholomew & Company Inc., would have additional flexibility in the direction of OPEB funds with the passage of this article. Mr. Townsend confirmed that many municipalities in Massachusetts have adopted MGL 203C. Bartholomew are registered advisors with full fiduciary responsibility within SEC guidelines and specialized in municipal investments.

Questions from the Committee

A member asked about why the article is written specifically about the OPEB Trust and whether other Town of Natick funds are subject to the Prudent Investor Rule. Mr. Townsend explained that MGL 203C is the default regulation. The OPEB legislation specifically referenced MGL Chapter 44 Section 54 and requires a vote of Town Meeting to use MGL 203C guidelines.

A member asked how soon after Town Meeting the trust administrator could update their investments to MGL 203C guidelines. Mr. Townsend said that first the Plan Document would have to be amended and approved by the Select Board and that an amended Plan Document has already been drafted for this purpose. Once the Plan Document has been updated, the new investment guidelines can be implemented immediately, it does not have to wait until the start of a new plan year.

A member asked about the beneficiaries or purpose of the OPEB Trust and its balance. The OPEB trust pays for current and future retiree liability expenses and the fund has approximately \$5 million currently.

A member asked about the increase in risk between MGL Chapter 44 Section 54 investing and MGL 203C investing. Mr. Townsend confirmed the wider range of investments carries the ability to take on more risk, but the advisors are still bound by Prudential Investor Rules and meet regularly with Town Administration regarding risk parameters, investment performance, and the fees - both transactional fees and fixed fees.

Members were curious about regression analysis for how the OPEB fund could have performed if it had been subject to 203C, maybe by comparing to similarly sized municipal fund performance, or if anyone in Town Administration audited the investment advisor's reports to see how their risk profile and performance compares to the Town's financial goals. Mr. Townsend said he would ask Bartholomew these questions and said that they rely on the reports and communications with the investment advisor, as well as the fact that they are currently bound by the legal list of Chapter 44 Section 54.

Debate

A member argued that this is a savvy and reasonable measure in keeping our municipal investments nimble and that giving the investment advisors more options does not require them to make any changes unless it is prudent and in the Town's best interests.

A member expressed support for the article and said that this kind of flexibility and level of oversight and prudent responsibility is widely accepted in private investment and thinks the Town will benefit from having MGL 203C regulations apply to the OPEB Trust.

~~ **END OF ARTICLE** ~~

ARTICLE 9
Appropriation of Opioid settlement moneys
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to appropriate a sum of money from the FY 2023 certified free cash to be expended in accordance with the Massachusetts State-Subdivision for Statewide opioid settlement funds; funds to be used to supplement and strengthen resources available to communities and families for substance use disorder prevention, harm reduction, treatment, and recovery or otherwise act thereon.

PURPOSE OF THE ARTICLE

To appropriate Opioid settlement funds received from the state in FY23; said funds to be used for prevention, harm reduction, treatment, and recovery programs.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 5, 2023

MOTION (Requires a Majority Vote)

Move that the Town vote to appropriate the sum of \$ 151,299.22 from the FY 2023 certified free cash to be expended under the direction of the Town Administrator in accordance with the Massachusetts State-Subdivision for Statewide opioid settlement funds; funds to be used to supplement and strengthen resources available to communities and families for substance use disorder prevention, harm reduction, treatment, and recovery or otherwise act thereon.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Mr. John Townsend, Deputy Town Administrator/Finance Director, presented Article 9 to the Finance Committee on September 5, 2023. The Town has received funds through the Commonwealth as part of legal settlements related to the impacts of opioids on local communities. The Town has received a settlement in the amount of \$151,299.22 but the state legislature did not create a clear path for accessing the funds, though pending legislation may address this in the future. The Division of Local Services

(DLS) guideline states that the funds have to fall to Free Cash and then can be appropriated and spent per the terms of the settlement agreement.

This motion language includes the explicit and strict requirements for what programs and services can be funded with the settlement proceeds, and that the spending of the appropriation is at the direction of the Town Administrator.

Mr. Jamie Errickson, the Town Administrator, added that the Town works with Natick 180 and through its Comptroller's office to ensure that opioid settlement funds are spent on eligible programs and services and that all reporting requirements of the settlement are met. He commented that if the pending state legislation regarding appropriations of these funds is passed, we won't need to do this at Spring Annual Town Meeting; nevertheless, we may see a future article appropriating additional Free Cash funds.

Questions from the Committee

A member asked about the amounts and status of future settlement proceeds and how the amount going to Natick relative to other communities in the Commonwealth is determined. Mr. Errickson confirmed that there is a settlement related to Purdue Pharmaceuticals for which Natick would expect to receive up to \$700,000 over the course of up to 15 years. There are a few other pending lawsuits being argued by the state that could result in Natick receiving additional funds. He stated that cross-community funding levels vary based on the settlement, but in most cases are based on population data or number of residents.

A member asked what specific programs and services would be covered by the \$151,299.22 and if there was a deadline by which the funds must be spent. Mr. Errickson stated that spending time frames vary between settlements and some have no time limit but still require reporting.. Most of Natick 180's work falls under the scope of the settlement agreement; their current grant-funded programs will be supplemented with these funds and they have 1.5 FTE that are currently paid through a federal grant which is ending. The opioid settlement funds can supplement the wages of grant-funded positions. Natick 180 has an established offering of resources, programs, and a community network to address the harms of opioid abuse in Natick.

A member asked for the certification status of Free Cash. Mr. Errickson confirmed that per Natick's financial management policies, there is still \$770,000 of FY23 Free Cash which has not yet been appropriated and this appropriation would be taken from that balance.

A member asked for clarification on who is bringing the legal action that results in these funds. Mr. Errickson stated that these proceeds are all the result of state lawsuits, meaning suits pursued by the state Attorney General.

A member asked whether the funds could be used to pay for or reimburse an individual resident's treatment and recovery services. Mr. Errickson stated he would have to check more deeply into the settlements to determine if they can pay for an individual's treatment. He stated that these funds and Natick180 provide better access to treatment and recovery options, but do not remedy the whole of the

opioid epidemic's impact on Natick or its residents. Mr Errickson added that some funds may go to regional partnerships or services which cannot be provided in or by Natick on its own.

A member asked whether the Town would consider creating a stabilization fund for opioid settlement funds. Mr. Errickson stated that if the state legislation regarding opioid settlements passes, the Town will use that mechanism to create a dedicated fund for these proceeds; otherwise the Town may pursue creating a stabilization fund, so we will have an update on that in the future.

A member asked about the motion language stating 'under the direction of the Town Administrator' and whether he would bring the appropriations before the Select Board, as is the practice with other funds like ARPA. Mr. Errickson confirmed that once Town Meeting approves the appropriation, the \$151,299.22 can be spent without being presented to the Select Board. Natick180 has held community meetings regarding these funds but there is no formal presentation or approval process subsequent to the passage of this article.

Debate

Members expressed support for the services and programs that will be covered by the appropriation and acknowledged that the process for appropriating from Free Cash is per the guidelines provided by the Commonwealth and a result of an imperfect process in the absence of adequate state legislation.

A member spoke in support of the motion but added that the magnitude of the opioid crisis in Natick and its harmful impacts on our residents warrants a thorough explanation of what funds Natick receives and how they are spent, even if it is not a required part of the process. The member expressed hope for robust communication and community engagement regarding the settlement proceeds.

~~ END OF ARTICLE ~~

ARTICLE 10
Establish and Authorize Revolving Funds for
(1) Energy Efficiency and Electrification Rebates and Incentives and/or
(2) Recreation Programs and Activities
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to amend Article 41A of the General By-Laws of the Town by adding new sections to establish and authorize the following revolving funds:

(1) to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects; and/or

(2) to utilize monies received through department program, user fees and donations to fund costs associated with department programs and services, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2;

or otherwise act thereon.

PURPOSE OF THE ARTICLE

To establish two new revolving funds: the Energy Efficiency and Clean Energy Capital Program Revolving Fund and the Recreation and Parks Revolving Fund.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	9-0-0
	DATE VOTED:	September 7, 2023

MOTION (Requires a Majority Vote)

That the Town vote, pursuant to Chapter 44, Section 53E1 /2 of the Massachusetts General Laws, to:

Establish an Energy Efficiency and Clean Energy Capital Program Revolving Fund, in order to utilize monies received through state, federal and utility energy efficiency, renewable energy and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects; by amending article 41A of the Natick Town Bylaws to include a new section 15 - entitled "Energy Efficiency and Clean Energy Capital Program" which states:

"Under the supervision of the Town Administrator, the Sustainability Director may expend on an annual basis an amount as authorized by Town Meeting for the purposes of funding capital projects related to energy efficiency, renewable energy and electrification utilizing monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits."

And

Establish a Recreation and Parks Revolving Fund in order to utilize monies received through department program fees, user fees and/or donations to fund costs associated with department programs and services; by amending article 41A of the Natick Town Bylaws to include a new section 16 - entitled "Recreation and Parks Program" which states:

"Under the supervision of the Town Administrator, the Recreation and Parks Department may expend on an annual basis an amount as authorized by Town Meeting for the purposes of funding costs associated with department programs and services utilizing monies received through program fees, user fees and/or donations."

So that the amended Bylaw reads:

"Section 1. Expenditure Limitations Liabilities may be incurred against and funds may be expended from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations: 1. Fringe benefits of full time employees whose salaries or wages are paid from the fund shall also be paid from the fund; 2. No liability shall be incurred in excess of the available balance of the fund; and, 3. In any fiscal year, the limit on the amount that may be spent from a revolving fund may be increased with the approval of the board of selectmen and finance committee.

Section 2. Interest earned on the monies credited to a revolving fund established by this by-law shall be credited to the general fund.

Section 3. Periodic Review of Activity A report of activity of each revolving fund shall be provided annually to the Board of Selectmen and the Finance Committee.

Section 4. DPW Vehicles and Equipment

Under the supervision of the Director of Public Works and the Town Administrator, the DPW Equipment Maintenance Supervisor may expend on an annual basis an amount as authorized by Town Meeting for the purpose of purchasing vehicles and equipment, utilizing revenue from the sale of surplus vehicles and equipment.

Section 5. Morse Institute Library Purchase of New Books and Related Materials

Under the supervision of the Library Trustees, the Morse Institute Library Director may expend on an annual basis an amount as authorized by Town Meeting for the purpose of purchasing new books and other related materials, utilizing revenue collected from fines for overdue materials, and from charges for lost or damaged materials.

Section 6. Morse Institute Library Maintenance and Repair of Library Facilities and Equipment

Under the supervision of the Library Trustees, the Morse Institute Library Director may expend on an annual basis an amount as authorized by Town Meeting for the purpose of maintenance and repair of Library facilities and equipment and the purchase of equipment for the Library, utilizing revenue collected from rental of Library facilities.

Section 7. Community-Senior Center Rental, Maintenance and Improvement Projects

Under the supervision of the Town Administrator, the Community Services Director may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding costs Associated with operating the facility's after-hours rental program, maintenance of the Community-Senior Center and improvement projects utilizing revenue received from building rental fees and donations.

Section 8. Flu Clinics, Immunization Programs, Pandemic and Emergency Preparedness

Under the supervision of the Board of Health, the Director of Public Health may expend on an annual basis an amount as authorized by Town Meeting for the purpose of subsidizing funding for flu Clinics, children and adult immunization programs, pandemic and emergency preparedness utilizing revenue received from Medicare, Medicaid and health insurance reimbursements from the Board of Health's annual flu clinics.

Section 9. Community-Senior Center Programs and Activities

Under the supervision of the Council on Aging, the Community Services Director and the Director of the Council on Aging may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding programs and activities at the Community-Senior Center utilizing revenue received from participants in said programs and activities.

Section 10. Tobacco Control Programs and Enforcement

Under the supervision of the Board of Health, the Public Health Director may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding tobacco control programs and enforcement, utilizing revenue received through grants, retail tobacco dealer permit fees and fines.

Section 11. Energy Conservation and Renewable Energy Projects

Under the supervision of the Town Administrator, the Sustainability Coordinator may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding energy conservation and renewable energy projects utilizing revenue received through the Town's Pay for Performance energy rewards program.

Section 12. Tax Title Takings or Tax Title Foreclosures

Under the supervision of the Finance Director, the Treasurer/Collector may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding expenses associated with a tax taking or tax title foreclosure utilizing revenue received from fees, charges and costs collected upon either i) the redemption of tax titles and ii) sales of real property acquired through foreclosures of tax titles.

Section 13. Curbside Compost Collection Program

Under the supervision of the Town Administrator, the DPW Director may expend on an annual basis an amount as authorized by Town Meeting for the purpose of funding expenses associated with the curbside compost collection program utilizing revenue received through fees paid by program participants.

Section 14. Community Gardens

Under the supervision of the Town Administrator, the Senior Center & Community Services Director may expend on an annual basis an amount as authorized by Town Meeting for the purposes of funding maintenance and enhancement of community gardens utilizing revenue received through community garden plot fees.

Section 15. Energy Efficiency and Clean Energy Capital Program

Under the supervision of the Town Administrator, the Sustainability Director may expend on an annual basis an amount as authorized by Town Meeting for the purposes of funding capital projects related to energy efficiency, renewable energy and electrification utilizing monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits.

Section 16. Recreation and Parks Programs

Under the supervision of the Town Administrator, the Recreation and Parks Department may expend on an annual basis an amount as authorized by Town Meeting for the purposes of funding costs associated with department programs and services utilizing monies received through program fees, user fees and/or donations."

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Jon Marshall, Deputy Town Administrator Operations

Mr. Marshall presented that this article requests to add two revolving funds to Section 41A of our bylaws under Massachusetts General Law 53E 1/2. One revolving fund is related to energy and efficiency and the other one is related to recreation and parks. We seek to take this action mainly because there are new incentives at the state level, including rebate tax credits, which the town of Natick is eligible to participate in. Previously municipalities were not eligible for tax credits in certain areas, but now, due to some changes in the Inflation Reduction Act, we are able to take part in those. Our hope is that we will be able to put these rebates into the revolving funds, and then we will be able to use those to continue our efforts. The Recreation and Parks Division of Community Services has had a 53D revolving fund for a number of years that was started back in the early 1980s. Prior to that, all of the programs offered were mainly free to residents. As things got tighter and budgets changed, and fees came into play, 53D was created soon after.

We are looking to change this from a 53D which is a little bit more rigid to a 53E 1/2 account, which will give us more flexibility. Another reason is that with 53D right now, only part-time and seasonal employees can be paid out of that fund. If the department looks to expand and have some full-time employees paid out of the fund we can't do that right now. If we were to put full-time employees within that fund, we would also have to take their benefits out of there.

QUESTIONS FROM THE COMMITTEE

A member asked how much credit we anticipate getting in the efficiency fund. The sponsor shared that we can leverage examples of what we are already seeing. For example, in a project we are doing with the Morse Institute library, we are seeing upwards of six figure rebates that we could put into this fund and then roll forward to other projects and efforts. The town just recently received funding for a grant from the federal government to do work at Ben Hem. So as we move forward with that work, there would likely be some credits that would be involved there as well to continue our efforts in sustainability. In addition, over the last five years, there has been somewhere between \$1.2 - 1.3 million that has rolled through the 53D Revolving fund. We can anticipate that the number would increase to somewhere around the \$1.5 million range.

A member asked if the intent was to close the 53D account. The sponsor said the intent would be to come back at a future meeting to close the 53D account. Right now, the user fees for programs and services are being collected and expended out of that account. At this point, the motion is just to establish the account and in the Spring, we will ask for authorization limits. So during this time period, we won't be able to draw from the account, we are purely establishing it.

A member clarified that the ultimate goal is to have one account. The sponsor confirmed that is true.

A member asked for the energy fund, that it will only be rebates and incentives and tax grants. Would there be grant money? The sponsor said the way we have it funded, sometimes there are grant funds.

The member clarified that the motion itself doesn't mention grants. So even though it is not part of the motion, you could still put grants in if you wanted to? The sponsor clarified that if it was a state and federal program, sometimes those are grants, and they don't believe we need to adjust the motion to clarify that because there is another avenue for us to operate.

A member asked if in the motion for recreation the only difference between the two different accounts is the ability to potentially pay for full-time employees. The sponsor clarified another benefit to the 53E1/2 is that with the 53D, we need to close out to an amount of \$10,000, anything that isn't crossing over a fiscal year. So for example, if we had a summer program where we collected fees in one year, but were expanding the amount for the next year, and we just closed out the season, we couldn't have more than \$10,000 within that account. In the new fund, there are no limits in terms of the amount that we could have.

A member asked if there were any full-time employees that would be designated to this fund, or at some point in the future. The sponsor said potentially at some point in the future.

DEBATE

A member commented that this is a reasonable and logical extension of what we already do with revolving funds.

~~ END OF ARTICLE ~~

ARTICLE 11
Personnel Board Classification and Pay Plan
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To update the Personnel Board's Classification and Pay Plan to reflect new jobs added to the Classification. The pay plan creates the structure for compensation for town employees.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 12, 2023

MOTION (Requires a Majority Vote)

Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10 with the new Classification and Pay Plan as follows:

**Town of Natick
Classification and Pay Plan
Effective January 1, 2022**

Classification changes are effective upon the vote of the Personnel Board

Grade	Minimum	Point 1	Point 2	Maximum
6	\$125,000.00	\$140,000.00	\$155,000.00	\$181,500.00
5	\$100,000.00	\$120,000.00	\$135,000.00	\$159,500.00
4	\$75,000.00	\$90,000.00	\$105,000.00	\$137,500.00
3	\$60,000.00	\$72,000.00	\$85,000.00	\$115,500.00
2	\$48,000.00	\$55,000.00	\$62,500.00	\$88,000.00
1	\$42,000.00	\$48,000.00	\$54,000.00	\$70,000.00

GRADE 6	GRADE 3 (Continued)	GRADE 2
Chief of Police	Assistant Director of Programs & Services	Assistant Assessor (non-certified)
Deputy Town Administrator/Director of Finance	Assistant Director Programs & Special Events	Assistant Director, Bacon Free Library
Deputy Town Administrator/Operations	Assistant Director – Resource Allocation	Assistant Director, Farm
Executive Director of Public Works and Facilities	Assistant Director –Services & Outreach	Assistant Director, Internal Operations, Farm
Fire Chief	Assistant Library Director, Morse Institute Library	Associate Project Coordinator
Town Administrator	Assistant Town Administration	Associate Planner
GRADE 5	Assistant to Town Clerk	Case Manager
Comptroller	Assistant Treasurer	Clinical Social Worker
Deputy Chief of Police	Bacon Free Director	Coordinator of Adaptive Programs
Director of Community & Economic Development	Benefits Manager	Executive Assistant
Director of Community Services	Budget & Financial Analyst	Executive Assistant to the Fire Chief
Director of Facilities Management		
Director of Human Resources/Labor Relations	Business & Special Projects Manager	Executive Assistant to the Town Administrator & Select Board
Director of Information Technology (IT)	Communications Director	Facility Custodial Supervisor
Director of Public Works	Community & Economic Development Office Manager	Golf Course Superintendent
GRADE 4	Community Planner	Human Resources Coordinator
Assistant Comptroller	Conservation Agent/Environmental Planner	Payroll Manager
Building Commissioner	Environmental Health Agent	Program Manager Volunteer Services
Deputy Community Services Director Council on Aging & Human Services	Environmental Health & Safety Manager	Sanitarian
Deputy Community Service Director Recreation & Parks	Executive Director, Farm	Senior Executive Assistant to the Chief of Police
Deputy Director of Public Works	Facility Maintenance Manager	Social Worker
Deputy IT Director/Systems Network Administrator		
Director of Assessing	Golf Course Manager	Special Asst. to Director of Facilities Management
Director of Equity, Inclusion, & Outreach	Housing/General Planner	Special Asst. to the Director of Finance
Director of Procurement	Information Systems Network Administrator	Special Asst. to Director of Senior Center & Community Services
Director of Public Health	Information Technology Manager	System Specialist Administrative
Director of Sustainability	Local Building Inspector	Youth Center Coordinator
	Prevention & Outreach Program Manager	
	Project Manager	
Morse Library Director	Public Health Nurse	GRADE 1
Town Clerk	Regulatory Compliance Coordinator	Animal Control Officer
Treasurer/Collector	Senior Building Official	Assistant Superintendent Golf Course
GRADE 3	Senior Environmental Health Specialist	Finance Coordinator
Assistant Assessor (Certified)	Staff Accountant	Golf Professional
Assistant Collector	Transportation & Economic Development Planner	Outreach Coordinator
Assistant Director of Assessing		Parking Enforcement Officer
Assistant Director of Finance		Police Records Coordinator
Assistant Director– Programs		Student Officer

**Town of Natick
Part-Time Classification and Pay Plan
Effective January 1, 2022**

Grade	Minimum	Point 1	Point 2	Maximum
1	\$ 15.00	\$ 19.00	\$ 21.25	\$ 23.50
2	\$ 17.50	\$ 27.75	\$ 31.00	\$ 34.50
3	\$ 28.00	\$ 36.50	\$ 40.50	\$ 45.00

GRADE 1

Assistant Leader (Rec)
Assistant Swim Coach
Attendant (Rec)
Building Monitor I (Rec)
Bus Dispatcher
Bus Driver
Cart Attendant (Golf)
Clerical Assistant
Club House Attendant (Golf)

Club House Supervisor (Golf)
Concession Manager
Custodian
Deputy Animal Control Officer
Election Clerk
Election Inspector
Equipment Operator (Golf)
Instructor
Laborer I
Leader/Counselor (Rec)
Library Page (Morse)
Parking Clerk
Ranger/Starter (Golf)
Receptionist
School Crossing Guard (1st year)
Senior Counselor Certified-Rec)
Specialist (Rec)
Timer/Scorer

GRADE 2

Administrative Support
Assistant Director (Rec)
Bookkeeper
Building Monitor II
Camp Director
Community Garden Coordinator
Conservation Agent
Election Warden
Golf Course Mechanic

Head Lifeguard
Instructor II
Intern Cooperative
Laborer II
Library Assistant (Bacon)
Lifeguard
Parking Enforcement Officer
Plumbing & Wiring Inspector
Police Matron
Police Transcriber
Program Assistant
Program Supervisor (Rec)
Recycling Attendant
School Crossing Guard
Social Worker
Swim Coach
Transportation Coordinator
Volunteer Coordinator I

GRADE 3

Adult Contractor
Beach Manager
Building Inspector
Certified Sports Official
Health Care Supervisor
Instructor III
Laborer III
Nurse (RN)
Volunteer Coordinator II
Per Diem Public Health Nurse

Position	Annual Rate
Inspector of Animals	\$ 3,750.00
Registrar of Voters	\$ 966.00
Town Meeting Page	\$ 100.00/Session

Premium (Up to a Max of \$85/Hr.)
Golf Instructor
Recreation Professional
Special Assignment Nurse
Subject Area Expert
Traffic Constable

~~ END OF MOTION ~~

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Steve Levinsky, chair of the Personnel Board and Dorothy Blondiet, Director of Human Resources, presented. Mr. Levinsky noted that these pay plans cover non-union employees of the town.

The full-time plan covers approximately 65 employees. Many of the positions on the part-time plan are seasonal so the employment it addresses fluctuates, and it may cover up to approximately 150 employees in a given year. The compensation brackets have not changed. Some positions have been retitled and some job descriptions revised or rewritten particularly with regard to a realignment in the Community and Economic Development area.

A “compression analysis” revealed that there is not an issue with employees bumping into or clustered near the tops of ranges.

A member inquired about the methods and limits of pay surveys. Pay brackets are developed by market analysis based on review of employment in similar towns (Natick’s population plus or minus 10,000) and for similar positions. These comparisons are based on best available information. The board seeks a large enough data set to dilute any bias due to non-comparable duties or responsibilities in any one town.

A member asked a question about his sense that the employment market has become more fluid after some extreme tightness in recent years. Ms. Blondiet agreed that the town has been fortunate to be able to source some good employees recently.

A member asked if the pay analysis took benefits into account. Mr. Levinsky replied that we do ask other towns about their benefits and, with minor exceptions, most have fairly consistent benefits.

A member asked why some job descriptions mention specific required capabilities that are not mentioned in others. Mr. Levinsky noted that the relevant skills and capabilities vary by the nature of a job, and that the board works to identify and correct any omissions in job descriptions.

RED-LINED VERSION OF THE FULL-TIME CLASSIFICATION AND PAY PLAN:

Town of Natick Classification and Pay Plan Effective January 1, 2022

Classification changes are effective upon the vote of the Personnel Board

Grade	Minimum	Point 1	Point 2	Maximum
6	\$125,000.00	\$140,000. 10	\$155,000.00	\$181,500.00
5	\$100,000.00	\$120,000. 10	\$135,000.00	\$159,500.00
4	\$75,000.00	\$90,000.00	\$105,000.00	\$137,500.00
3	\$60,000.00	\$72,000.00	\$85,000.00	\$115,500.00
2	\$48,000.00	\$55,000.00	\$62,500.00	\$88,000.00
1	\$42,000.00	\$48,000.00	\$54,000.00	\$70,000.00

GRADE 6	GRADE 3	GRADE 2
Chief of Police	Assistant Assessor (Certified)	Assistant Assessor (non-certified)
Deputy Town Administrator/Director of Finance	Assistant Collector	Assistant Director, Bacon Free Library
Deputy Town Administrator/Operations	Assistant Director of Assessing	Assistant Director, Farm
Fire Chief	Assistant Director of Finance	Assistant Director, Internal Operations, Farm
Town Administrator	Assistant Director – Programs	Associate Project Coordinator
Executive Director of Public Works and Facilities	Assistant Director– Programs & Services	Case Manager
	Director of Recreation Programs/Special Events	Clinical Social Worker
	Assistant Director of Programs & Special Events	Coordinator of Adaptive Programs
	Assistant Director -Resource Allocation	Development Review Planner-Associate Planner
	Assistant Director - Services & Outreach	Executive Assistant
	Assistant Town Administration	Executive Assistant to the Town Administrator & Select Board
Comptroller	Assistant to Town Clerk	Executive Assistant to the Fire Chief
Deputy Chief of Police	Assistant Treasurer/ Collector	Facility Custodial Supervisor
Director of Community & Economic Development	Assistant Library Director, Morse Institute Library	
Director of Facilities Management	Bacon Free Director	Golf Course Superintendent
Director of Human Resources/Labor Relations	Benefits Manager	Human Resources Coordinator
Director of Information Technology-Director of Information Technology (IT)	Budget Analyst Budget & Financial Analyst	Payroll Manager
Director of Public Works	Business Manager-Business and& Special Projects Manager	Program Manager Volunteer Services
Director of Community Services	Communications Director	Sanitarian
	Community & Economic Development Office Manager	Senior Executive Assistant to the Chief of Police
	Community Planner	
	Open Space Planner/Conservation Agent-Conservation Agent/Environmental Planner	Social Worker
	Environmental Health Agent	Special Asst. to Director of Facilities Management
	Environmental Health and& Safety Manager	
	Executive Director, Farm	Special Asst. to the Director of Finance
Assistant Comptroller	Facility Maintenance Manager	Special Asst. to Director of Senior Center & Community Services
Building Commissioner	Golf Course Manager	System Specialist Administrative
Deputy Community Services Director Council on Aging & Human Services	Housing/General Planner	Youth Center Coordinator

Deputy Community Service Director Recreation & Parks
Deputy Director of Public Works

Information Systems Network Administrator
Information Technology Manager
Local Building Inspector (Certified)

Deputy IT Director/Systems Network Administrator

Prevention & Outreach Program Manager

GRADE 1

Director of Assessing

Project Manager

Animal Control Officer

Director of Equity, Inclusion, & Outreach

Public Health Nurse

Assistant Superintendent Golf Course

Director of Procurement

Regulatory Compliance Coordinator

Finance Coordinator

Director of Public Health

Senior Local Building InspectorOfficial

Golf Professional

Director of Sustainability

Senior Environmental Health Specialist

Outreach Coordinator

Morse Library Director

Staff Accountant

Parking Enforcement Officer

Town Clerk

Senior PlannerTransportation & Economic
Development Planner

Police Records Coordinator

Treasurer/Collector

Student Officer

RED-LINED VERSION OF THE PART-TIME CLASSIFICATION AND PAY PLAN:

**Town of Natick
Part-Time Classification and Pay Plan
Effective January 1, 2022**

Grade	Minimum	Point 1	Point 2	Maximum
1	\$ 15.00	\$ 19.00	\$ 21.25	\$ 23.50
2	\$ 17.50	\$ 27.75	\$ 31.00	\$ 34.50
3	\$ 28.00	\$ 36.50	\$ 40.50	\$ 45.00

GRADE 1

Assistant Leader (Rec)
Assistant Swim Coach
Attendant (Rec)
Building Monitor I (Rec)

Bus Dispatcher
Bus Driver
Cart Attendant (Golf)
Clerical Assistant
Club House Attendant (Golf)

Club House Supervisor (Golf)
Concession Manager
Custodian
Deputy Animal Control Officer
Election Clerk
Election Inspector
Equipment Operator (Golf)
Instructor
Laborer I
Leader/Counselor (Rec)
Library Page (Morse)
Parking Clerk
Ranger/Starter (Golf)
Receptionist
School Crossing Guard (1st year)
Senior Counselor Certified-Rec)
Specialist (Rec)
Timer/Scorer

GRADE 2

Administrative Support
Assistant Director (Rec)
Bookkeeper
~~Building Monitor II (Rec)~~ Building Monitor II
Camp Director
Community Garden Coordinator
Conservation Agent
Election Warden
Golf Course Mechanic

Head Lifeguard
Instructor II
Intern Cooperative
Laborer II
Library Assistant (Bacon)
Lifeguard
Parking Enforcement Officer
Plumbing & Wiring Inspector
Police Matron
Police Transcriber
Program Assistant
Program Supervisor (Rec)
Recycling Attendant
School Crossing Guard
Social Worker
Swim Coach
Transportation Coordinator
Volunteer Coordinator I

GRADE 3

Adult Contractor
Beach Manager
Building Inspector
Certified Sports Official

Health Care Supervisor
Instructor III
Laborer III
Nurse (RN)
Volunteer Coordinator II
Per diem Public Health Nurse

~~ END OF ARTICLE ~~

ARTICLE 12
Rescind Article 35 of the 2001 Spring Annual Town Meeting
(Select Board)

ARTICLE LANGUAGE

To see what action the Town will take to rescind Article 35 of the 2001 Spring Annual Town Meeting, which accepted M.G.L. c. 31 Section 58A that provides a maximum age of 32 years for original appointment to the position of firefighter or police officer; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To remove the maximum age limit of 32 years of age for original appointment to the position of firefighter or police officer. The objective is to increase the number of qualified candidates eligible to fill vacancies in the departments.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 5, 2023

MOTION (Requires a Majority Vote)

Move to rescind the Town's acceptance of M.G.L. c. 31 Section 58A accepted by Article 35 of the April 2001 Annual Town Meeting which provides a maximum age of 32 years for original appointment to the position of firefighter or police officer.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Mr. Jamie Errickson, Town Administrator, stated that the intent is to rescind a previous Town Meeting action that set a maximum age of 32 years for initial appointment of firefighters and police. We have been trying to do some research on the exact reason for the 2001 adoption with mixed results. We've heard there was a lot more competition for these positions through civil service and the town may have needed to make the applicant pool smaller. He explained that now, however, we are struggling to fill positions in both departments. We're looking to rescind the age limit to open up the applicant pool.

Mr. Errickson recalled that Town Meeting previously supported a home rule petition by an individual over the age of 32 who was looking to become a police officer (*2020 FATM Article 22*). At that time, there was discussion that rather than do it for an individual, we should discuss eliminating the age limit for everyone. The Fire and Police Chiefs brought this to the Town Administrator's attention to bring forward. The Select Board, as the appointing authority for the Chiefs, agreed to sponsor this article.

Questions from the Committee

A member asked what impact this might have on tenure and retirement eligibility. Fire Chief Jason Ferschke stated that there's a mandatory cap on age to retire of 65 for both police and fire. This change would not likely not attract many people above the age of 40. But we are missing many candidates in the 32-28 range. We have had to turn away about four candidates due to the age maximum.

A member asked about other communities' experiences with this issue. Fire Chief Jason Ferschke explained that several communities have opted out of this in recent years. The Fire Department currently has 8 vacancies they are trying to fill.

A member asked what benefits travel with a firefighter or police officer who transfers between jurisdictions. Chief Ferschke noted that it's become extremely challenging not only to recruit people but also retain employees. There's a lot more movement. You have to make it appealing to work here and stay here. Regarding pensions, if the employee stays within Massachusetts, the pension travels with them. As far as seniority, civil service would continue to count from the original date of appointment (as opposed to inside department seniority which is governed by the collective bargaining agreement). Police Chief James Hicks added that this issue has to do with entry level hiring, not someone who is coming from or going to another department.

~~ END OF ARTICLE ~~

ARTICLE 13
Apply for Admission to Massachusetts Water Resources Authority
(Select Board)

ARTICLE LANGUAGE

To see if the Town will vote to apply for admission to the Massachusetts Water Resources Authority (MWRA) Water System to receive from the Massachusetts Water Resources Water Authority a supplemental public water supply for the Town of Natick in accordance with Chapter 372 of the Acts of 1984 of the Commonwealth and to authorize the Select Board, acting as Water Commissioners, to take such action necessary or required to apply for admission to and receive a supplemental public water supply for the Town of Natick from the Massachusetts Water Resources Authority, including, without limitation, filing legislation, payments of applicable fees and charges, and entering into an agreement with the Massachusetts Water Resources Authority as may be required or necessary to receive a supply of water at prevailing rates charged by the Massachusetts Water Resources Authority to communities in its water supply system, or to take any other action relative thereto.

PURPOSE OF THE ARTICLE

To apply for admission to the Massachusetts Water Resources Authority Water System to receive a supplemental public water supply.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-0
	DATE VOTED:	September 5, 2023

MOTION (Requires a Majority Vote)

Move to authorize the Select Board to apply for admission to the Massachusetts Water Resources Authority Water System to receive from the Massachusetts Water Resources Water Authority a supplemental public water supply for the Town of Natick in accordance with Chapter 372 of the Acts of 1984 of the Commonwealth and to further authorize the Select Board, acting as Water Commissioners, to take such action necessary or required to apply for admission to and receive a supplemental public water supply for the Town of Natick from the Massachusetts Water Resources Authority, including, without limitation, filing legislation, payments of applicable fees and charges, and entering into an agreement with the Massachusetts Water Resources Authority as may be required or necessary to receive a supply of water at prevailing rates charged by the Massachusetts Water Resources Authority to communities in its water supply system.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Mr. William Spratt, Executive Director of the DPW and Facilities

Mr. Spratt gave a presentation on Natick's 55 Year Water Resource Plan. The Water Department, Administration and consultants have evaluated current and future options for the Town of Natick water sources and risks and recommend that the town begin the process of joining the MWRA to help supplement peak usage days and provide a back-up plan for emergencies. Emergencies include Federal or State regulation changes, water use restrictions, supply chain issues, increasing costs and natural disasters.

Currently Natick's water supply comes from 11 groundwater wells. Natick has 4 treatment plants and 2 storage tanks with 9-million-gallon total capacity. The average daily pumping is 3.3 million gallons per day and the average peak day pumping is 5.5 million gallons per day. Although the town is meeting average demand our current system does not meet the demand on peak days. Production challenges due to pump breakdowns, filter clogs, inability to use some of the wells due to PFAS contamination and slow water flow as well as the threat of additional water regulations make planning for the future a necessity.

There are several weaknesses in our current water supply system. Elm Bank is not a reliable water source and likely will be a challenge to treat for PFAS. Natick PFAS treatment is currently limited to Springvale. New EPA/DEP regulation changes will limit Natick's current capacity to meet PFAS regulations at all water sources.

MWRA has capacity and is looking for new members. MWRA entrance fees are currently at no cost, resulting in an estimated \$12-15M savings, making this an optimal time to join. Joining the MWRA will give the town the ability to draw water when needed and the MWRA is a scalable resource.

The process to become an MWRA member takes two to three years and a vote from Town Meeting to start the process will lock in the MWRA fee waiver for the town.

QUESTIONS FROM THE COMMITTEE

A member asked if water rates would increase if the town joined the MWRA. Mr. Spratt said a financial analysis indicates that for end users it would likely be a wash because paying for MWRA water is about the same price as the capital debt the town would incur from building another treatment plant which will be needed to meet demand. The short answer is "water rates will be increasing, but not necessarily because of MWRA."

A member asked if his understanding based on his calculations was that MWRA rates were four times more than the town's rate is correct. Mr. Spratt said he didn't know off the top of his head, but the town's water rates are significantly lower. He also said we need to keep in mind that the MWRA water will be a supplement to our own water and only used when needed.

A member asked about mixing some of our non-PFAS compliant water sources with sources that are PFAS compliant as a potential to increase supply. Greg Eldridge with Haley Ward Engineers answered

that you can do blending but it has to be done at the point of entry so the water would need to be moved from somewhere else and blended before going through the treatment plant. This would be impractical due to the location of our water sources.

A member asked about how anticipated population growth is factored into these plans. Mr. Spratt answered that the plans do take that into account. He noted that over the past 20 years, despite Natick's growth there has been little growth in water usage. On an average daily basis, we do have a surplus in our current water supply so could add more population to the mix. Although not modeled in the presentation it was discussed and considered.

A member asked whether MWRA offers any programs to individual consumers such as abatement programs for people on fixed incomes. Mr. Spratt explained that programs like that are decided by Natick's Water Commission and the Select Board. The MWRA would sell water to Natick and Natick would resell that water to the end user. Therefore, any abatement programs would need to come from within Natick.

A member asked if joining MWRA would give the town any kind of regulatory obligation or if this was just essentially a sale relationship. Mr. Spratt answered that it is essentially the latter.

A member asked whether building additional storage capacity would help. Mr. Spratt said they talked about that idea but in order to provide the pressure you need, it would be too massive of a structure thus making it impractical.

A member asked if there were any mandates that came with opting into MWRA. Mr. Eldridge answered that there were none that he knew of. The MWRA has no control over communities as far as placing controls. It's just you use the water; you pay for the water. You have a maximum daily amount you're allowed to take so there are restrictions on that based on the agreement when you sign up. It's different on the wastewater side because you're sending wastewater to them, and they can say you can't put certain chemicals and things of that nature.

A member asked about the MWRA Advisory Board and would joining give us some kind of representation. Mr. Eldridge said that on the water side, when you join, Natick should get a representative to join. Mr. Errickson said that our prior public works director was on that board when he was here and Mr. Spratt said he's currently in discussions about how to get that seat back.

A member asked how much we are spending now on filter media and given those costs, was consideration given to using more MWRA water. Mr. Spratt answered that we are paying approximately \$125,000 per year per filter and a total of about \$500,000 per year. They have not specifically studied the possibility of using more MWRA water, but it is a possibility.

A member asked whether adding a new physical location would require us to pay a new connection fee. Mr. Errickson answered that it would not. Mr. Eldridge further explained that it's really an entrance fee more than a connection fee.

A member asked if the town had consulted with other towns that have opted in to the MWRA and Mr. Spratt said that he had not.

~~ END OF ARTICLE ~~

ARTICLE 14
Amend Zoning Bylaw: Use Regulation (Footnotes and References)
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw to incorporate, modify, or delete existing footnotes and references including, but not limited to, amending § III.A. Use Regulations; or act in any other manner in relation thereto.

PURPOSE OF THE ARTICLE

To update footnotes and references in Section III-A.2 Use Regulation Table of the Zoning Bylaw.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a Majority Vote)

Move No Action on the subject matter of Article 14

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Planning Board, the sponsor of Article 14, heard the article at their September 27, 2023, meeting and voted No Action. The Finance Committee, in recognition of the sponsor's preferred outcome, voted No Action on this article. Ms. Amanda Loomis, Community Development Director, indicated that the subject matter of this article would likely be brought forward in the spring.

~~ **END OF ARTICLE** ~~

ARTICLE 15
Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, modifying, or deleting use sections, and then reordering the use sections and categories, including, but not limited to amending § III.A.2 Use Regulation Schedule; or act in any other manner in relation thereto

PURPOSE OF THE ARTICLE

To update Section III-A.2 Use Regulation Schedule by creating Use Sections and then populating each Use Section with applicable Use Categories to provide users with a clear understanding of the order of Use Categories. Over the past two years, it has been identified that uses may be classified under multiple different Use Category Lines.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a 2/3 Vote)

ARTICLE 15

Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)

Move that the Town vote to amend Section III-A – Use Regulations as follows:

MOTION – In Section III-A.2 (Use Regulation Schedule),

Delete the existing use section headers (Residential Use, Recreational Uses, Business Uses, Industrial Uses, Transportation Uses, Institutional Uses, and Other Uses).

Insert the following use section headers:

- A. Residential Uses (primary)**
- B. Residential Uses (accessory)**
- C. Transient Accommodation Uses**
- D. Recreational, Amusement, Entertainment Uses**
- E. Agricultural and Natural Resource Uses**
- F. Retail or Consumer Service Establishment Uses**
- G. Motor Vehicle Related Sales and Service Uses**
- H. Transportation, Communication, Utility Uses**
- I. Professional and Medical Office Uses**
- J. Research and Development, Laboratory, and Technology Uses**
- K. Manufacturing and Industrial Uses**
- L. Institutional and Exempt Uses**
- M. Other Uses**

Assign Use Categories to appropriate sections and number the categories in order of appearance by section.

Divide

- Use Category “Administrative offices, statistical offices and establishments for research and development” into separate categories (“Administrative offices, clerical offices, statistical offices” and “Establishments for research and development”);**
- Use Category “Municipal facility and building for public uses and purposes, including a Town-owned dump” into separate categories (“Municipal facility and building for public uses and purposes” and “Town-owned dump”).**

So that the amended language reads:

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
A. RESIDENTIAL USES (primary)													
A1.	One-family detached dwelling	Y	N	Y	N	SP	Y	(*)	N	N	N	N	N
A2.	One-family detached dwelling for personnel required for the Safe operation of a permitted use to reside on the premises thereof.	N	N	N	SP	SP	N	(*)	SP	SP	SP	N	N
A3.	Two-family or semi-detached dwelling	Y	Y	N**	N	SP	N	(*)	N	N	N	N	SP
A4. *	Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)	N	Y+	N**	Y+	SP	N	(*)	N	N	N	N	Y
A5.	Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.	Y	Y	N	N	SP	N	(*)	N	N	N	N	N
A6.	Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)	SP	N	N	N	N	SP	SP	N	N	N	SP	SP
A7.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	SP	N	SP	SP	SP
<p>*+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"</p> <p>FP - See Flood Plain regulations at the end of this Section.</p> <p>HM-I - See Highway Mixed Use-I District regulations at Section III-B.</p> <p>HM-II - See Highway Mixed Use-II District regulations at Section III-C.</p> <p>LC - See Limited Commercial District regulations at Section III-D.</p> <p>HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43).</p> <p>HPU - See Highway Planned Use regulations at Section III-G (Page III-46).</p> <p>(*)DM - See Downtown Mixed Use Regulations in Section III-E</p> <p>*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi- family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.</p> <p>2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.</p> <p>3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.</p> <p>**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.</p>													

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
B. RESIDENTIAL USES (accessory)													
B1.	Family Suite	N	N	SP	N	N	N	N	N	N	N	N	N
B2.	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.	Y	N	N	N	SP	N	(*)	N	N	N	N	N
B3.	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968)	Y	Y	Y	SP	N	N	(*)	SP	N	N	N	SP
B4.	Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)	SP	N	SP	N	N	N	(*)	SP	N	N	N	SP
B5.	For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	N	(*)	Y	N	N	N	SP
B6.	Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon.	Y	Y	Y	Y	SP	N	(*)	N	N	N	N	N
B7.	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N
B8.	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
C. TRANSIENT ACCOMMODATION USES													
C1.	Tourist Home	Y	N	N	N	N	N	(*)	N	N	N	N	SP
C2.	Hotel and Motel	N	Y	N	N	N	N	(*)	Y	N	SP*	N	SP
*Art. 29, FALL ATM 1997 Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES													
D1.	Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)	Y	N	N	SP	N	N	(*)	N	N	N	N	N
D2.	Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)	N	N	N	Y+	N	N	(*)	N	N	N	N	N
D3.	Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.	Y	N	SP	SP	SP	N	(*)	N	N	N	N	Y
D4.	Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.	N	N	N	N	SP	N	(*)	SP	N	N	N	SP
D5.	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	(*)	SP	N	N	N	SP
D6.	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)												
**+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"													
Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
E. AGRICULTURAL AND NATURAL RESOURCE USES													
E1.	Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.	SP*	N	SP*	N	N	N	(*)	SP*	N	N	N	N
E2.	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	(*)	N	N	N	N	N
E3.	A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.	Y	N	Y	N	N	N	(*)	Y	N	N	N	N
E4.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	(*)	SP	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
<p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>													
F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES													
F1.	Retail stores.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F2.	Wholesale or retail office or showroom with inside storage of goods for sale on premises only.	N	N	N	N	N	N	(*)	Y	N	N	N	Y
F3.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F4.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N	N
F5.	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N	N
F6.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	N	(*)	Y	N	N	N	Y
F7.	Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.	N	N	N	N	N	N	(*)	Y	Y	Y	N	Y
F8.	Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.	N	N	N	N	N	N	(*)	SP	N	N	N	SP
F9.	The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)	N	N	N	N	N	N	(*)	Y	N	N	N	SP
F10.	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	(*)	N	SP	N	N	SP
F11.	Undertaking establishment or funeral home.	N	N	N	N	N	N	(*)	Y	N	N	N	N
F12.	Cemetery	SP	N	A	N	N	N	(*)	N	N	N	N	N
F13.	Library or museum	Y	N	Y	N	N	SP	(*)	N	N	N	N	Y
F14.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N
F15.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N
<p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: F5. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p>													

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
<p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town. Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 ***Use F10. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>													
G. MOTOR VEHICLE RELATED SALES AND SERVICE USES													
G1.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.	N	N	N	N	N	N	(*)	Y	N	N	N	N
G2.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	N	(*)	SP	N	N	N	N
G3.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G4.	Repair garage for motor vehicles.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G5.	A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G6.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	(*)	N	N	SP	N	N
G7.	Carwash **	N	N	N	N	N	N	(*)	SP	N	N	N	N
G8.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G9.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
<p>* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93) ** Mechanical vehicular washing system using water and chemical additives.</p>													
H. TRANSPORTATION, COMMUNICATION, AND UTILITY USES													
H1.	Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.	SP	N	SP	N	N	N	(*)	N	N	N	N	N
H2.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
H3.	Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
H4.	Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.◊	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
H5.	Wireless Communications Facility, including only a free standing monopole.◊ (Art. 25, Spring ATM 4/9/19)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
H6.	Indoor Wireless Communications Facility (IWCF). [◇]	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H7.	Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)**	N	N	N	N	N	N	SP	SP	SP	SP	N	N
[◇] (Amended Art. 30, Fall ATM, 10/8/98) **Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
I. PROFESSIONAL AND MEDICAL OFFICE USES													
I1.	Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)	N	N	N	SP	N	SP	(*)	Y	Y	SP	N	Y
I2.	Administrative offices, clerical offices, statistical offices (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
I3.	Health Care facility, including a hospital, diagnostic and health care professional offices.												
	i) under 2500 sq. ft.	N	N	N	N	N	Y	Y	Y	N	N	Y	Y
	ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)	N	N	N	N	N	SP	SP	SP	N	N	SP	Y
I4.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	(*)	Y	N	N	N	Y
* Any special permit granted for this use shall be subject to the provisions of Section VI DD													
J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES													
J1.	Establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
J2.	Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N	N
K. MANUFACTURING AND INDUSTRIAL USES													
K1.	Printing or publishing establishment provided that not more than five thousand feet are used for work and storage	N	N	N	N	N	SP	(*)	Y	N	N	N	Y
	a. over 5,000 sq. ft.	N	N	N	N	N	SP	(*)	SP	Y	Y	N	N
K2.	Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)	N	N	N	N	N	N	(*)	Y	SP	SP	N	SP
K3.	Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)	N	N	N	N	N	SP	(*)	SP	SP	SP	N	SP

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
K4.	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N	SP
K5.	General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	N	Y	N	N
K6.	Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)	N	N	N	N	N	N	(*)	N	N	SP*	N	N
K7.	Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.	N	N	N	N	N	N	(*)	N	N	SP	N	N
K8.	Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
K9.	Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.	SP	N	SP	N	N	N	(*)	N	SP	SP	N	N
L. INSTITUTIONAL AND EXEMPT USES													
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
L2.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
L3.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡	SP	N	SP	SP	N	SP	(*)	SP	SP	N	SP	Y
* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence." * "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." (Art. 14, 1987 Fall A.T.M.) ‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
M. OTHER USES													
M1.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	SP	(*)	Y	Y	Y	N	Y
M2.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	SP	(*)	SP	SP	SP	N	SP
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres "D") Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page													

(Art. 25, Spring ATM, 05/02/2023)

~~ END OF MOTION ~~

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Amanda Loomis, Community & Economic Development Director

Ms. Loomis explained that Article 15 is the first step in the reorganization of the Use Regulations Schedule, which has been continuously amended over the years. In the current schedule some uses may be classified under multiple Use Categories. (See Articles 16 and 17 for further updates to the Use Regulations Schedule.)

The objective is to create an organization so the Use Schedule can be used by members of the public, attorneys, or someone seeking to locate a business in Natick.

The following changes were made:

- New Use Headers were created, such as residential primary, residential secondary, recreation, agriculture, etc.
- Existing Use Categories were relocated under appropriate headers.
- Each section of Use Categories was assigned a new numbering system for easier future additions.
- Professional offices and research and development categories were separated.
- Municipally owned buildings and town dumps were also separated and placed in different sections.

Ms. Loomis noted that this does not change any of the actual permitting requirements or make any other substantive changes.

Questions from the Committee

A member asked if this was “really just a cut and paste” of the existing table and have we double checked to make sure it is correct. Ms. Loomis said they had gone through it “quite a few times” and that it was cutting and pasting.

ARTICLE 15 USE REGULATION SCHEDULE REDLINE

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
A. RESIDENTIAL USES (primary) RESIDENTIAL USE													
A1.	One-family detached dwelling	Y	N	Y	N	SP	Y	(*)	N	N	N	N	N
A2.	One-family detached dwelling for personnel required for the Safe operation of a permitted use to reside on the premises thereof.	N	N	N	SP	SP	N	(*)	SP	SP	SP	N	N
A3.	Two-family or semi-detached dwelling	Y	Y	N**	N	SP	N	(*)	N	N	N	N	SP
A4. *	Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)	N	Y+	N**	Y+	SP	N	(*)	N	N	N	N	Y
A5.	Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.	Y	Y	N	N	SP	N	(*)	N	N	N	N	N
A6. 50.	Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)	SP	N	N	N	N	SP	SP	N	N	N	SP	SP
A7. 50B.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	SP	N	SP	SP	SP
<p>“+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD”</p> <p>FP - See Flood Plain regulations at the end of this Section.</p> <p>HM-I - See Highway Mixed Use-I District regulations at Section III-B.</p> <p>HM-II - See Highway Mixed Use-II District regulations at Section III-C.</p> <p>LC - See Limited Commercial District regulations at Section III-D.</p> <p>HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43).</p> <p>HPU - See Highway Planned Use regulations at Section III-G (Page III-46).</p> <p>(*)DM - See Downtown Mixed Use Regulations in Section III-E</p>													
<p>*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi- family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.</p> <p>2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.</p> <p>3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.</p> <p>**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.</p>													

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
B. RESIDENTIAL USES (accessory)													
B1. 4A-	Family Suite	N	N	SP	N	N	N	N	N	N	N	N	N
B2. 8-	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.	Y	N	N	N	SP	N	(*)	N	N	N	N	N
B3. 19-	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968)	Y	Y	Y	SP	N	N	(*)	SP	N	N	N	SP
B4. 20-	Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)	SP	N	SP	N	N	N	(*)	SP	N	N	N	SP
B5. 26-	For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	N	(*)	Y	N	N	N	SP
B6. 9-	Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon.	Y	Y	Y	Y	SP	N	(*)	N	N	N	N	N
B7. 53B-	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N
B8. 53C-	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
C. TRANSIENT ACCOMMODATION USES													
<u>C1.</u> <u>6.</u>	Tourist Home	Y	N	N	N	N	N	(*)	N	N	N	N	SP
<u>C2.</u> <u>7.</u>	Hotel and Motel	N	Y	N	N	N	N	(*)	Y	N	SP*	N	SP
*Art. 29, FALL ATM 1997 Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES RECREATIONAL USES													
<u>D1.</u> <u>10.</u>	Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)	Y	N	N	SP	N	N	(*)	N	N	N	N	N
<u>D2.</u> <u>10A.</u>	Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)	N	N	N	Y+	N	N	(*)	N	N	N	N	N
<u>D3.</u> <u>11.</u>	Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.	Y	N	SP	SP	SP	N	(*)	N	N	N	N	Y
<u>D4.</u> <u>12.</u>	Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.	N	N	N	N	SP	N	(*)	SP	N	N	N	SP
<u>D5.</u> <u>13.</u>	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	(*)	SP	N	N	N	SP
<u>D6.</u> <u>14.</u>	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)												
"+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"													
Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
E. AGRICULTURAL AND NATURAL RESOURCE USES BUSINESS USES													
<u>E1.</u> <u>15.</u>	Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.	SP*	N	SP*	N	N	N	(*)	SP*	N	N	N	N
<u>E2.</u> <u>16.</u>	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	(*)	N	N	N	N	N
<u>E3.</u> <u>17.</u>	A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.	Y	N	Y	N	N	N	(*)	Y	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
E4. 18.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	(*)	SP	N	N	N	N
<p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>													
F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES													
F1. 22.	Retail stores.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F2. 25.	Wholesale or retail office or showroom with inside storage of goods for sale on premises only.	N	N	N	N	N	N	(*)	Y	N	N	N	Y
F3. 28.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F4. 22A.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N	N
F5. 22B.	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N	N
F6. 36.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	N	(*)	Y	N	N	N	Y
F7. 37.	Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.	N	N	N	N	N	N	(*)	Y	Y	Y	N	Y
F8. 38.	Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.	N	N	N	N	N	N	(*)	SP	N	N	N	SP
F9. 38A.	The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)	N	N	N	N	N	N	(*)	Y	N	N	N	SP
F10. 39A.	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	(*)	N	SP	N	N	SP
F11. 29.	Undertaking establishment or funeral home.	N	N	N	N	N	N	(*)	Y	N	N	N	N
F12. 51.	Cemetery	SP	N	A	N	N	N	(*)	N	N	N	N	N
F13. 52.	Library or museum	Y	N	Y	N	N	SP	(*)	N	N	N	N	Y
F14. 53.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
F15. 53A.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N
<p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: 22BF5. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p> <p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> <p>***Use F10.39A. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>													
G. MOTOR VEHICLE RELATED SALES AND SERVICE USES													
G1. 23.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.	N	N	N	N	N	N	(*)	Y	N	N	N	N
G2. 23A.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	N	(*)	SP	N	N	N	N
G3. 24.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G4. 30.	Repair garage for motor vehicles.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G5. 31A.	A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G6. 44.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	(*)	N	N	SP	N	N
G7. 31B.	Carwash **	N	N	N	N	N	N	(*)	SP	N	N	N	N
G8. 31.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G9. 32.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
<p>* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)</p> <p>** Mechanical vehicular washing system using water and chemical additives.</p>													
H. TRANSPORTATION, COMMUNICATION, AND UTILITY USES													
H1. 43.	Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.	SP	N	SP	N	N	N	(*)	N	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
H2. 35.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
H3. 46.	Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
H4. 46A.	Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.◇	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
H5. 46B.	Wireless Communications Facility, including only a free standing monopole.◇ (Art. 25, Spring ATM 4/9/19)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
H6. 46C.	Indoor Wireless Communications Facility (IWCF).◇	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H7. 46D.	Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)**	N	N	N	N	N	N	SP	SP	SP	SP	N	N
◇ (Amended Art. 30, Fall ATM, 10/8/98)													
**Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts													
Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
I. PROFESSIONAL AND MEDICAL OFFICE USES													
I1. 27.	Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)	N	N	N	SP	N	SP	(*)	Y	Y	SP	N	Y
I2. 27A.	Administrative offices, clerical offices, statistical offices and establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
I3. 50A.	Health Care facility, including a hospital, diagnostic and health care professional offices.												
	i) under 2500 sq. ft.	N	N	N	N	N	Y	Y	Y	N	N	Y	Y
	ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)	N	N	N	N	N	SP	SP	SP	N	N	SP	Y
I4. 33.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	(*)	Y	N	N	N	Y
* Any special permit granted for this use shall be subject to the provisions of Section VI DD													
J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES													
J1. 27A.	Establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
J2. 40A.	Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
K. MANUFACTURING AND INDUSTRIAL USES													
<u>K1.</u> <u>34.</u>	Printing or publishing establishment provided that not more than five thousand feet are used for work and storage	N	N	N	N	N	SP	(*)	Y	N	N	N	Y
	a. over 5,000 sq. ft.	N	N	N	N	N	SP	(*)	SP	Y	Y	N	N
<u>K2.</u> <u>38B.</u>	Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)	N	N	N	N	N	N	(*)	Y	SP	SP	N	SP
INDUSTRIAL USES													
<u>K3.</u> <u>38C.</u>	Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)	N	N	N	N	N	SP	(*)	SP	SP	SP	N	SP
<u>K4.</u> <u>39.</u>	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N	SP
<u>K5.</u> <u>40.</u>	General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	N	Y	N	N
<u>K6.</u> <u>44.</u>	Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)	N	N	N	N	N	N	(*)	N	N	SP*	N	N
<u>K7.</u> <u>42.</u>	Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.	N	N	N	N	N	N	(*)	N	N	SP	N	N
<u>K8.</u> <u>45.</u>	<u>Town-owned dump. (Art. 52 A.T.M. 1974)</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>	<u>SP</u>	<u>(*)</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>SP</u>

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
K9. 24.	Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.	SP	N	SP	N	N	N	(*)	N	SP	SP	N	N
TRANSPORTATION USES													
L. INSTITUTIONAL AND EXEMPT USES INSTITUTIONAL USES													
L1. 45.	Municipal facility and building for public uses and purposes, including a Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
L2. 47.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
L3. 48.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
L4. 49.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡	SP	N	SP	SP	N	SP	(*)	SP	SP	N	SP	Y
* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence." * "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." (Art. 14, 1987 Fall A.T.M.) ‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
M. OTHER USES													
M1. 54.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	SP	(*)	Y	Y	Y	N	Y
M2. 55.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	SP	(*)	SP	SP	SP	N	SP
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres "D") Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page													

(Art. 25, Spring ATM, 05/02/2023)

~~ END OF ARTICLE ~~

ARTICLE 16
Amend Zoning Bylaw: Use Regulation (Zoning Districts)
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw by relocating and amending use- related language from individual zoning district sections of the Zoning Bylaw to § III.A.2 (Use Regulation Schedule) with affected sections including but not limited to § III-B Highway Mixed Use-I (HM-I) Districts Use Regulations; § III-C Highway Mixed Use-II (HM-II) Districts Use Regulations; § III.D Use Regulations for LC Districts; § III.E Downtown Mixed Use District (DM); § III.EE Center Gateway District; or act in any other manner in relation thereto

PURPOSE OF THE ARTICLE

To relocate and amend use- related language from individual zoning district sections of the Zoning Bylaw to Section III.A.2 (Use Regulation Schedule).

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	
	QUANTUM OF VOTE:	
	DATE VOTED:	

MOTION (Requires a 2/3 Vote)

TBD

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Finance Committee expects to hear Article 16 on October 10, 2023. The motions, recommendations and summary of the discussion will be provided in a supplement to this Recommendation Book.

~~ **END OF ARTICLE** ~~

ARTICLE 17
Amend Zoning Bylaw: Use Regulation (Update Use Categories and Definitions)
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, deleting, or modifying definitions, use categories, and permitting requirements by zoning district, including, but not limited to amending Section 200 – Definitions; § III.A.2 Use Regulation Schedule; or act in any other manner in relation thereto.

PURPOSE OF THE ARTICLE

To continue the work of cleaning up Section III-A.2 Use Regulation Schedule by removing the obsolete Subsidized Housing (SH) Zoning District from the schedule and other sections of the Zoning Bylaw; to update uses to be compliant with the Dover Amendment, which relates to restrictions on education or religious uses.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – ALL MOTIONS

Amanda Loomis, Community & Economic Development Director, presented Article 17, which was discussed on September 28, 2023, and again on October 4, 2023.

This article is the final modification to § III.A.2 Use Regulation Schedule which was also updated in Articles 15 and 16. The committee noted that the Article 17 motions assume favorable action on those articles.

FINANCE COMMITTEE RECOMMENDATION – MOTION A

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	12-0-0
	DATE VOTED:	October 4, 2023

MOTION A (Requires a 2/3 Vote)

Move that the Town vote to delete reference to Subsidized Housing (SH) District) from Section 103, Section 200, Section II-A., Section II-A., Section VI-DD.2.A.a.2, Section VI-DD.2.B.a, and Section VI-E of the Natick Zoning Bylaw as follows:

Section 103 - Purpose of Subsidized Housing (SH) District

Delete the existing text from Section 103, which reads

'The intent of this Bylaw relating to the SH District is to result in the availability of sufficient land to accommodate dwelling units for people of low and moderate income so as to increase the number of dwelling units of subsidized housing in the Town to a total which meets the requirements of Chapter 40B, Sections 2023, General Laws. The special permit procedure hereinafter established is intended to accomplish this objective while ensuring compliance with local planning standards and policies concerned with land use and building requirements, and with the health, safety and welfare of residents of the Town of Natick. (Art. 83 A.T.M. 1973)'

Insert the word "Reserved" so that the amended language will read

Section 103 - Reserved

Section 200 – Definitions, deleting the definitions for "Subsidized Housing" and "Assisted Housing"

Delete the definition '**Assisted Housing**: Housing as defined under Subsidized Housing. (Art. 10, 1991 Fall A.T.M.)' that is below the definition for 'Area, Building" and above the definition for 'Assisted Living Residence(s)', so that the amended language will read

Area, Building: The maximum horizontally projected areas of the building at or above grade, exclusive of court and vent shafts. *

Assisted Living Residence(s): A residential facility providing residents with personal care services (assistance with one or more activities of daily living and self-administered medication management, either through physical support or supervision), assistance with activities of daily living (tasks related to bathing, dressing, grooming, ambulation, eating, toileting, and similar tasks), and such services as may be necessary to meet the needs of seniors and the elderly, and as may be specified pursuant to the Commonwealth of Massachusetts' Assisted Living Residence regulations (651CMR 12). (Art. 44, A.T.M., 04/27/10)

Delete the definition '**Subsidized Housing**: The term "subsidized housing" shall mean housing for people of low or moderate income which is constructed, rehabilitated, remodeled and sold, leased or rented by the Town of Natick, the Natick Housing Authority, or by any other public agency, non-profit or limited dividend organization; the construction, remodeling, financing, sale, lease or rental of which housing is regulated and financially assisted by agencies of the government of the United States or of the Commonwealth of Massachusetts under programs the purpose of which is to provide housing for people of low or moderate income. The terms "low income", "moderate income", and "limited dividend corporation" shall have the meanings defined in the programs or laws administered by such agencies. (Art. 83 A.T.M. 1973)' that is below the definition for 'Structure" and above the definition for 'Tenement House', so that the amended language will read

Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, gas pump, fence, sign, flagpole, recreational tramway, mast for radio antenna or the like. The word "structure" shall be construed, where the context requires, as though followed by the words "or part or parts thereof".

However, for purposes of measuring setback from lot lines, structure shall not include fences, retaining walls, rip rapped areas, driveways, parking areas, utility lines or the like. *

Tenement House: Any building occupied or designed to be occupied as a residence by more than two (2) families, including apartment houses and flat houses; also any building other than a hotel having ten (10) or more rooms to be let to lodgers or accommodations for twenty (20) or more lodgers. *

Section II-A., Types of Use Districts, deleting the entry “Subsidized Housing, SH (Art. 83 A.T.M. 1973)”

Delete the line ‘*Subsidized Housing SH (Art. 83 A.T.M. 1973)*’ from Section II-A that falls below ‘Administrative & Professional AP (Art. 8 S.T.M. 4/29/75)’ and above ‘Downtown Mixed Use DM’ so that the amended language will read

1. For the purposes of this bylaw and such other bylaws as may apply, the Town of Natick is hereby divided into the following types of Use Districts (to be designated by the appropriate initials and numerals as appear after each type below):

Residential General	RG
Residential Multiple	RM
Residential Single	RS (A to E Inclusive)
Planned Cluster Development	PCD (Art. 1 S.T.M. 6/17/69)
Administrative & Professional	AP (Art. 8 S.T.M. 4/29/75)
Downtown Mixed Use	DM
Commercial Two	CII
Industrial One	Ini

Section III-A., Use Regulation Schedule, deleting the header and contents of the column “SH”

Delete the SH column from Section III-A.2 of the Use Regulation Schedule in its entirety so that the amended language will read

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
A. RESIDENTIAL USES (primary)															
A1.	One-family detached dwelling	Y	N	Y	N	Y	N	N	N	N	N	N	N	N	Y
A1a.	One-family detached dwelling only if existing as of the time of adoption of this By-Law.	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
A2.	One-family detached dwelling for personnel required for the safe operation of a permitted use to reside on the premises thereof.	N	N	N	SP	N	Y	SP	SP	SP	N	N	SP	SP	Y ^c
A3.	Two-family or semi-detached dwelling	Y	Y	N ^{**}	N	N	---	N	N	N	N	SP	N	N	---
A3a.	Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings if existing as of the time of adoption of this By-Law	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
A3b.	Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
A4. *	Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)	N	Y+	N ^{**}	Y+	N	SP ^f	N	N	N	N	Y	N	N	---
A4a.	Multi-family building types for not less than three (3) dwelling units but not more than six (6) dwelling units building, such as: apartment houses and/or town houses, with no more than six (6) dwelling units per acre; subject to and consistent with the provisions of Section V-J of this by-law. (Art. 42, F.T.M. 10/17/17) (Art. 32, Fall TM 10/16/18)	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
A4b.	Residential Mixed-use Development	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y
A5.	Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.	Y	Y	N	N	N	N	N	N	N	N	N	N	N	---
A6.	Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)	SP	N	N	N	SP	SP	N	N	N	SP	SP	N	N	SP
A7.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	N	SP	SP	SP	SP	SP	N
^a + On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD" FP - See Flood Plain regulations at the end of this Section. HM-II - See Highway Mixed Use-II District regulations at Section III-C. HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43). HPU - See Highway Planned Use regulations at Section III-G (Page III-46).															

		RG	RM	RS	PCD	AP	DM	CH	INI	INII	H	CG	HMI ^a	HMI ^b	LC
*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi-family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.															
2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.															
3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.															
**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.															
B. RESIDENTIAL USES (accessory)															
B1.	Family Suite	N	N	SP	N	N	N	N	N	N	N	N	N	N	N
B2.	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.	Y	N	N	N	N	N	N	N	N	N	N	N	N	Y ^h
B3.	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968)	Y	Y	Y	SP	N	---	SP	N	N	N	SP	N	N	---
B3a.	Customary home occupation	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
B4.	Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)	SP	N	SP	N	N	---	SP	N	N	N	SP	N	N	---
B5.	For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	---	Y	N	N	N	SP	N	N	---
B6.	Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon.	Y	Y	Y	Y	N	---	N	N	N	N	N	N	N	N
B6a.	Private garage or outdoor vehicle storage in connection with a dwelling	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
B7.	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	SP	N	N	N	N	N	N	N
B8.	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	SP	N	N	N	N	N	N	N

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
C. TRANSIENT ACCOMMODATION USES															
C1.	Tourist Home	Y	N	N	N	N	---	N	N	N	N	SP	N	N	N
C1a.	Boarding House, Tourist House or Lodging House	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
C2.	Hotel and Motel	N	Y	N	N	N	SP	Y	N	SP*	N	SP	SP	Y	N
*Art. 29, FALL ATM 1997															
Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															
D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES															
D1.	Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)	Y	N	N	SP	N	N	N	N	N	N	N	N	---	---
D1a.	Private or commercial club, including golf (by natural light only), outdoor swimming, riding, outdoor tennis and boating facilities, provided that no structures are located closer than one hundred (100') feet from any lot line	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
D2.	Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)	N	N	N	Y+	N	N	N	N	N	N	N	N	---	---
D3.	Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.	Y	N	SP	SP	N	Y	N	N	N	N	Y	N	N	Y
D4.	Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.	N	N	N	N	N	SP	SP	N	N	N	SP	N	---	SP
D4a.	Indoor tennis or racquet club or other indoor recreation place, provided that the building is so insulated and maintained as to confine noise to the premises	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
D4b.	Indoor tennis or racquet club or other indoor recreation place, provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred (100') feet from any residential use; and provided further that parking demand generation for such use shall not exceed 40 spaces	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
D4c.	Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one (100) feet from the nearest residentially zoned district and that golf shall be by natural light only	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y
D5.	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	SP	N	N	N	SP	N	---	---

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
D6.	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)														
<p>*+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>															
E. AGRICULTURAL AND NATURAL RESOURCE USES															
E1.	Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.	SP*	N	SP*	N	N	N	SP*	N	N	N	N	N	N	N
E2.	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	N	N	N	N	N	N	N	N
E3.	A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.	Y	N	Y	N	N	N	Y	N	N	N	N	N	N	N
E4.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	SP	N	N	N	N	N	N	N
<p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>															
F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES															
F1.	Retail stores.	N	N	N	SP	N	Y	Y	N	N	N	Y	N	N	Y
F2.	Wholesale or retail office or showroom with inside storage of goods for sale on premises only.	N	N	N	N	N	Y	Y	N	N	N	Y	N	N	--- ⁿ
F2a.	Wholesale or retail stores or office or showroom with inside storage of goods	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
F3.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	Y	Y	N	N	N	Y	N	Y	Y
F4.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N	N	N	N
F5.	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N	N	N	N
F6.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	--- ^o	Y	N	N	N	Y	N	--- ^p	N
F6a.	Eating establishments without live or mechanical entertainment.	N ^y	N ^y	N ^y	N ^y	N ^y	Y ^o	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
F6b.	Restaurant, tearooms, lunchrooms, or other places serving food and permitted beverages inside a lodge building in connection with non-profit social or civic activities to which admission is limited or controlled, and specifically excluding an activity customarily conducted as a business	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
F6c.	The provision of seating accommodations in conjunction with the carrying on of a retail food use, provided that such accommodations will not permit a total of more than 16 customers to be seated at any one time (Art. 21, Fall A.T.M., 10/5/93)	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
F6d.	The provision of seating accommodations in conjunction with the carrying on of retail food use which is conducted solely as an accessory use to a retail use in the same building, said seating to be limited to one (1) seat for each 250 square feet of retail space and said seating area shall not exceed ten (10%) percent of the total retail space, excluding the area devoted to retail food use. In addition, there shall be no drive up window associated with the accessory retail food use, the accessory retail food use shall be operated exclusively by the operator of the principal retail use, the hours of operation of the accessory retail food use shall be limited to those of the principal retail use, and there shall be no sign visible from or located exterior to the building that advertises, calls attention to or indicates the carrying on of the accessory retail food use. (Art. 7, S.T.M. #2, 10/10/00)	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
F6e.	Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y
F7.	Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.	N	N	N	N	N	Y	Y	Y	Y	N	Y	Y	— ^p	Y
F8.	Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.	N	N	N	N	N	— ^q	SP	N	N	N	SP	N	— ^p	N
F8a.	Eating establishments providing live or mechanical entertainment	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
F9.	The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)	N	N	N	N	N	SP ^r	Y	N	N	N	SP	N	— ^p	N

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
F10.	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	N	SP	N	N	SP	N	N	N
F11.	Undertaking establishment or funeral home.	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N
F12.	Cemetery	SP	N	A	N	N	N	N	N	N	N	N	N	N	N
F13.	Library or museum	Y	N	Y	N	SP	Y	N	N	N	N	Y	N	Y	Y
F14.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	SP	N	N	N	N	N	N	SP
F15.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	SP	N	N	N	N	N	N	SP
<p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: F5. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p> <p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> <p>***Use F10. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>															
G. MOTOR VEHICLE RELATED SALES AND SERVICE USES															
G1.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.	N	N	N	N	N	SP	Y	N	N	N	N	N	N	Y
G2.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	SP	SP	N	N	N	N	N	N	Y
G3.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G4.	Repair garage for motor vehicles.	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G5.	A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G6.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N
G7.	Carwash**	N	N	N	N	N	N	SP	N	N	N	N	N	N	N
G8.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	SP	SP	SP	N	N	N	N	N	N
G8a.	The storage and parking of motor vehicles, with no provision for operations incidental to the servicing of such vehicles	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	Y
G9.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
<p>* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)</p> <p>** Mechanical vehicular washing system using water and chemical additives.</p>															

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
H. TRANSPORTATION, COMMUNICATION, UTILITY USES															
H1.	Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.	SP	N	SP	N	N	N	N	N	N	N	N	N	SP	N
H2.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	SP	N	Y	Y	Y	N	Y	Y	N	N
H3.	Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	Y ^a	Y	Y	Y	N	SP	Y	N	N
H4.	Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.Ø	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP
H5.	Wireless Communications Facility, including only a free standing monopole.Ø (Art. 25, Spring ATM 4/9/19)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	N
H6.	Indoor Wireless Communications Facility (IWCF).Ø	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
H7.	Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)**	N	N	N	N	N	SP	SP	SP	SP	N	N	SP	N	N
Ø (Amended Art. 30, Fall ATM, 10/8/98)															
**Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts															
Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															
I. PROFESSIONAL AND MEDICAL OFFICE USES															
I1.	Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)	N	N	N	SP	SP	Y	Y	Y	SP	N	Y	SP	Y	Y
I1a.	Business Training Center	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	Y
I2.	Administrative offices, clerical offices, statistical offices (Art. 8 S.T.M. 2 1975)	N	N	N	N	SP	Y	N	SP*	SP*	N	Y	SP	Y	Y
I3.	Health Care facility, including a hospital, diagnostic and health care professional offices.														
	i) under 2500 sq. ft.	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N
	ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)	N	N	N	N	SP	SP	SP	N	N	SP	Y	N	N	N
I4.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	Y	N	N	N	Y	N	N	N
* Any special permit granted for this use shall be subject to the provisions of Section VI DD															
J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES															
J1.	Establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	SP	---	N	SP*	SP*	N	Y	SP	Y	Y
J1a.	Establishments for scientific research or scientific development or related production	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
J2.	Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	Y	Y	N	N	Y	N	N

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
K. MANUFACTURING AND INDUSTRIAL USES															
K1.	Printing or publishing establishment provided that not more than five thousand feet are used for work and storage	N	N	N	N	SP	Y	Y	N	N	N	Y	N	Y	Y
	a. over 5,000 sq. ft.	N	N	N	N	SP	Y	SP	Y	Y	N	N	Y	Y	Y
K2.	Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)	N	N	N	N	N	---	Y	SP	SP	N	SP	SP	N	Y
K2a.	Specialty Craft Fabrication, where all noises, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible and such a use is located not less than fifty (50) feet from the residential district	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K3.	Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)	N	N	N	N	SP	Y	SP	SP	SP	N	SP	SP	N	Y
K4.	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	Y	Y	N	SP	Y	N	N
K5.	General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	N	Y	N	N	Y	N	N
K6.	Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)	N	N	N	N	N	---	N	N	SP*	N	N	SP	N	N
K6a.	Warehouse of less than 1,000 square feet gross floor area	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K6b.	Warehouse of more than 1,000 square feet gross floor area	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K7.	Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N
K8.	Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	N	Y	Y	Y	N	SP	Y	N	N

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
K9.	Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.	SP	N	SP	N	N	N	N	SP	SP	N	N	SP	N	N
L. INSTITUTIONAL AND EXEMPT USES															
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	Y	Y	Y	Y	N	SP	Y	N	Y
L1a.	A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L1b.	Building owned by the Federal Government, the Commonwealth of Massachusetts or the Town of Natick or its departments; and libraries and museums, but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
L2.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	SP	Y ^w	Y	Y	Y	N	Y	Y ^w	N	Y ^w
‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7.(Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															
L3.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	SP	Y ^w	Y	Y	Y	N	Y	Y ^w	N	Y ^w
L3a.	Schools conducted by a non-profit educational corporation on land which it owns	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡	SP	N	SP	SP	SP	Y ^w	SP	SP	N	SP	Y	SP	N	Y ^w
* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence." * "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." (Art. 14, 1987 Fall A.T.M.) ‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															
M. OTHER USES															
M1.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	(*)	Y	Y	Y	N	Y	Y	Y	Y
M2.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	--- ^x	SP	SP	SP	N	SP	SP	N	--- ^x
M2a.	Accessory Use	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
M3.	Fallout shelter	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
M4.	Mixed-use development	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres “D”)															
Note: For districts FP, HM-II, HM-III, HPU see Section III Page															

- ^a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements
- ^b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements
- ^c LC Zoning District allows for one family attached or detached dwelling
- ^d See Use Category Line 3a - Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings if existing as of the time of adoption of this By-Law
- ^e See Use Category Line 3b - Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings
- ^f Multi-family Dwellings shall comply with Section III.E.2 of the Zoning Bylaw
- ^g See Use Category Line 4a - Multi-family building types for not less than three (3) dwelling units but not more than six (6) dwelling units building, such as: apartment houses and/or town houses, with no more than six (6) dwelling units per acre; subject to and consistent with the provisions of Section V-J of this by-law
- ^h LC Zoning District allows for the renting of one or two rooms and/or furnishing of board by a resident family to a total of not more than four (4) non-transient persons
- ⁱ See Use Category Line 10A – Customary Home Occupation
- ^j See Use Category Line 13A – Private garage or outdoor vehicle storage in connection with a dwelling
- ^k See Use Category Line 16A – Boarding House, Tourist Home or Lodging House
- ^l See Use Category Line 21c - Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one (100) feet from the nearest residentially zoned district and that golf shall be by natural light only
- ^m See Use Category Line 18a - Private or commercial, including golf (by natural light only), outdoor swimming, riding, outdoor tennis and boating facilities, provided that no structures are located closer than one hundred (100') feet from any lot line
- ⁿ Wholesale or retail stores or office or showroom with inside storage of goods
- ^o See Use Category Line 33a - Eating establishments without live or mechanical entertainment. Outdoor dining is allowed provided that: i. A minimum six (6) feet clear path is maintained free of obstruction in any pedestrian pathway or sidewalk, ii. The outdoor dining area is at least 50 feet from a residential district, iii. Where an outdoor dining area will abut a street or parking area, the Police Department and Department of Public Works have provided written approval of protective measures to prevent vehicular intrusion into the outdoor dining area, iv. The proposed outdoor dining area complies with all other Town and State rules and regulations.
- ^p See Use Category Line 33e - Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district
- ^q See Use Category Line 35A, Eating establishments providing live or mechanical entertainment
- ^r Such Use Category shall apply to both Hotels and Motels
- ^s In the DM Zoning District radio and TV stations offices are included in this Use Category, while towers are excluded.
- ^t See Use Category Line 63a – Establishment for scientific research or scientific development or related production
- ^u See Use Category Line 66A - Specialty Craft Fabrication, where all noises, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible and such a use is located not less than fifty (50) feet from the residential district
- ^v See Use Categories Line 70a – Warehouse of less than 1,000 square feet gross floor area, and Line 70b – Warehouse of more than 1,000 square feet gross floor area
- ^w Such uses are subject to Section III-A.7 of the Zoning Bylaw
- ^x See Use Category Line 79 – Other accessory use normally incidental to a permitted use
- ^y Use not yet authorized by Town Meeting

Section VI-DD (Special Permit Procedures and Site Plan Review, Section 2.A.a.2 (Special Permits), deleting the words “Subsidized Housing (SHA)”

Delete the line ‘Subsidized Housing (SHA)’ from Section VI-DD.2.A.a.2 that is below ‘Limited Commercial (LC)’ and above ‘Non Conforming Uses in accordance with Section V-A’ so that the amended language will read

2. Zoning Board of Appeals shall act as the SPGA in the following Districts:

Limited Commercial (LC)

Non Conforming Uses in accordance with Section V-A

Section VI-DD (Site Plan Review Applicability and SPGA Designation), Section 2.B.a), deleting the words “Subsidized Housing (SHA)”

Delete the line ‘Subsidized Housing (SHA)’ from Section VI-DD.2.B.a that is below ‘Limited Commercial (LC)’ and above ‘(Art. 38, Spring ATM, 4/11/17)’ so that the amended language will read

The following zoning districts shall be subject to the Site Plan Review Procedures described herein, to be administered the Zoning Board of Appeals acting as the SPGA

Limited Commercial (LC)

(Art. 38, Spring ATM, 4/11/17)

Section VI-E (Board of Appeals), 2. Special Permits, deleting the entirety of paragraphs d) through k)

Delete Sections VI-E.2.d) through Section VI-E.2.k) that are located below Section VI-E.2.c) and above Section VI-E.3 ‘Variances’ so that the amended language will read

2. Special Permits

- a) To grant a Special Permit for those uses for which the Board of Appeals is the Special Permit Granting Authority, and in issuing any said Special Permit, the Board of Appeals may impose such a safeguard, conditions and limitations pertaining to the use in question as may be, in the reasonable opinion of the members of the Board, necessary or advisable to prevent such permitted use from being either detrimental or injurious to the neighborhood or to the value of any property within the neighborhood or to prevent such permitted use from substantially derogating from the purpose of this bylaw.
- b) The Special Permit Granting Authority may grant a special permit for business uses, including parking and loading areas servicing such business uses, in a PCD District, for the purpose of providing a business area to serve principally the dwelling units constructed in the development of such PCD District. (Art. 2, S.T.M. #2, Oct. 10, 2000)
- c) The area devoted to business uses in any PCD District under a Special Permit shall in no case exceed five percent (5%) of the total land area of the PCD District concerned. No such Special Permit shall be granted for business uses in any PCD District until six hundred (600) dwelling units have been constructed in said District and certificates of occupancy issued therefor. No business establishment having a gross floor area in excess of seventy-five hundred (7,500) sq. ft. shall be allowed by Special Permit in any PCD District including Parking and Loading areas serving such business uses.

3. Variances.

To authorize upon appeal, or upon petition in cases where a particular use is sought for which no permit is required, with respect to a particular parcel of land or to an existing building thereon, a variance from the terms of this bylaw where, owing to conditions especially affecting such parcel or such building, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this bylaw would involve substantial hardship to the appellant, and where desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this

bylaw, but not otherwise. The Board may impose limitations both of time and use and may require bonds, and a continuation of the permitted use may be conditioned upon compliance with the regulations to be made and amended from time to time thereafter...

~~ END OF MOTION ~~

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A

Motion A deletes the Subsidized Housing column in the Use Regulations Schedule and in other areas where the Subsidized Housing District is mentioned in the Zoning Bylaw. Ms. Loomis explained that in 1973, a subsidized housing district was created by Article 83, but there is no evidence it was ever implemented on the zoning map.

She noted that Natick has been extremely successful in the creation of the Smart Growth overlay district, and then enacting an inclusionary housing bylaw requiring affordable housing to be part of projects.

The proposal is to delete the subsidized housing column, references, and uses throughout the bylaw, as the district doesn't exist.

Questions from the Committee

A member asked if he was correct that the idea of a subsidized housing district is outdated thinking because it is “ghettoizing” subsidized housing. Ms. Loomis said yes, that you’d want to spread subsidized housing across the community but also that this has been superseded by a lot of state law since then and she is unaware of any communities that have dedicated districts for this.

A member asked if the removal of subsidized housing is because we have a sufficient redefinition of that already in the by-law? Ms. Loomis explained that we have an inclusionary housing by-law that already has definitions. The definition being deleted here is from the by-law related to the subsidized housing district but does not impact the inclusionary housing by-law.

ARTICLE 17 MOTION A – USE REGULATION SCHEDULE REDLINE

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
A. RESIDENTIAL USES (primary)																
A1.	One-family detached dwelling	Y	N	Y	N	SP	Y	N	N	N	N	N	N	N	N	Y
A1a.	One-family detached dwelling only if existing as of the time of adoption of this By-Law.	N ^y	N ^y	N ^y	N ^y	N^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
A2.	One-family detached dwelling for personnel required for the safe operation of a permitted use to reside on the premises thereof.	N	N	N	SP	SP	N	Y	SP	SP	SP	N	N	SP	SP	Y ^c
A3.	Two-family or semi-detached dwelling	Y	Y	N**	N	SP	N	--- ^d	N	N	N	N	SP	N	N	--- ^e
A3a.	Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings if existing as of the time of adoption of this By-Law	N ^y	N ^y	N ^y	N ^y	N^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
A3b.	Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings	N ^y	N ^y	N ^y	N ^y	N^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
A4. *	Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)	N	Y+	N**	Y+	SP	N	SP ^f	N	N	N	N	Y	N	N	--- ^g
A4a.	Multi-family building types for not less than three (3) dwelling units but not more than six (6) dwelling units building, such as: apartment houses and/or town houses, with no more than six (6) dwelling units per acre; subject to and consistent with the provisions of Section V-J of this by-law. (Art. 42, F.T.M. 10/17/17) (Art. 32, Fall TM 10/16/18)	N ^y	N ^y	N ^y	N ^y	N^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
A4b.	Residential Mixed-use Development	N ^y	N ^y	N ^y	N ^y	N^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y
A5.	Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.	Y	Y	N	N	SP	N	N	N	N	N	N	N	N	N	--- ^e
A6.	Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)	SP	N	N	N	N	SP	SP	N	N	N	SP	SP	N	N	SP
A7.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	SP	N	SP	SP	SP	SP	SP	N
^a On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint, and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD ^a FP - See Flood Plain regulations at the end of this Section. HM-II - See Highway Mixed Use-II District regulations at Section III-C. HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43). HPU - See Highway Planned Use regulations at Section III-G (Page III-46).																

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
<p>*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi-family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.</p> <p>2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.</p> <p>3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.</p> <p>**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.</p>																
B. RESIDENTIAL USES (accessory)																
B1.	Family Suite	N	N	SP	N	N	N	N	N	N	N	N	N	N	N	N
B2.	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.	Y	N	N	N	SP	N	N	N	N	N	N	N	N	N	Y ^h
B3.	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968)	Y	Y	Y	SP	N	N	---	SP	N	N	N	SP	N	N	---
B3a.	Customary home occupation	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
B4.	Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)	SP	N	SP	N	N	N	---	SP	N	N	N	SP	N	N	---
B5.	For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	N	---	Y	N	N	N	SP	N	N	---
B6.	Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon.	Y	Y	Y	Y	SP	N	---	N	N	N	N	N	N	N	N
B6a.	Private garage or outdoor vehicle storage in connection with a dwelling	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
B7.	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	N	SP	N	N	N	N	N	N	N
B8.	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	N	SP	N	N	N	N	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
C. TRANSIENT ACCOMMODATION USES																
C1.	Tourist Home	Y	N	N	N	N	N	---	N	N	N	N	SP	N	N	N
C1a.	Boarding House, Tourist House or Lodging House	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
C2.	Hotel and Motel	N	Y	N	N	N	N	SP	Y	N	SP*	N	SP	SP	Y	N
*Art. 29, FALL ATM 1997																
Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3																
D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES																
D1.	Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)	Y	N	N	SP	N	N	N	N	N	N	N	N	N	---	---
D1a.	Private or commercial club, including golf (by natural light only), outdoor swimming, riding, outdoor tennis and boating facilities, provided that no structures are located closer than one hundred (100') feet from any lot line	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
D2.	Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)	N	N	N	Y+	N	N	N	N	N	N	N	N	N	---	---
D3.	Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.	Y	N	SP	SP	SP	N	Y	N	N	N	N	Y	N	N	Y
D4.	Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.	N	N	N	N	SP	N	SP	SP	N	N	N	SP	N	---	SP
D4a.	Indoor tennis or racquet club or other indoor recreation place, provided that the building is so insulated and maintained as to confine noise to the premises	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
D4b.	Indoor tennis or racquet club or other indoor recreation place, provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred (100') feet from any residential use; and provided further that parking demand generation for such use shall not exceed 40 spaces	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
D4c.	Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one (100) feet from the nearest residentially zoned district and that golf shall be by natural light only	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y
D5.	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	N	SP	N	N	N	SP	N	---	---

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
D6.	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)															
<p>*+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD”</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>																
E. AGRICULTURAL AND NATURAL RESOURCE USES																
E1.	Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.	SP*	N	SP*	N	N	N	N	SP*	N	N	N	N	N	N	N
E2.	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	N	N	N	N	N	N	N	N	N
E3.	A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.	Y	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N
E4.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	N	SP	N	N	N	N	N	N	N
<p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>																
F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES																
F1.	Retail stores.	N	N	N	SP	N	N	Y	Y	N	N	N	Y	N	N	Y
F2.	Wholesale or retail office or showroom with inside storage of goods for sale on premises only.	N	N	N	N	N	N	Y	Y	N	N	N	Y	N	N	--- ⁿ
F2a.	Wholesale or retail stores or office or showroom with inside storage of goods	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
F3.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	N	Y	Y	N	N	N	Y	N	Y	Y
F4.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
F5.	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
F6.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	N	--- ^o	Y	N	N	N	Y	N	--- ^p	N
F6a.	Eating establishments without live or mechanical entertainment.	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y ^o	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
F6b.	Restaurant, tearooms, lunchrooms, or other places serving permitted beverages inside a lodge building in connection with non-profit social or civic activities to which admission is limited or controlled, and specifically excluding an activity customarily conducted as a business	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	y

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
F6c.	The provision of seating accommodations in conjunction with the carrying on of a retail food use, provided that such accommodations will not permit a total of more than 16 customers to be seated at any one time (Art. 21, Fall A.T.M., 10/5/93)	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
F6d.	The provision of seating accommodations in conjunction with the carrying on of retail food use which is conducted solely as an accessory use to a retail use in the same building, said seating to be limited to one (1) seat for each 250 square feet of retail space and said seating area shall not exceed ten (10%) percent of the total retail space, excluding the area devoted to retail food use. In addition, there shall be no drive up window associated with the accessory retail food use, the accessory retail food use shall be operated exclusively by the operator of the principal retail use, the hours of operation of the accessory retail food use shall be limited to those of the principal retail use, and there shall be no sign visible from or located exterior to the building that advertises, calls attention to or indicates the carrying on of the accessory retail food use. (Art. 7, S.T.M. #2, 10/10/00)	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
F6e.	Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y
F7.	Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	Y	--- ^p	Y
F8.	Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.	N	N	N	N	N	N	--- ^q	SP	N	N	N	SP	N	--- ^p	N
F8a.	Eating establishments providing live or mechanical entertainment	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
F9.	The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)	N	N	N	N	N	N	SP ^r	Y	N	N	N	SP	N	--- ^p	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
F10.	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N	N
F11.	Undertaking establishment or funeral home.	N	N	N	N	N	N	Y	Y	N	N	N	N	N	N	N
F12.	Cemetery	SP	N	A	N	N	N	N	N	N	N	N	N	N	N	N
F13.	Library or museum	Y	N	Y	N	N	SP	Y	N	N	N	N	Y	N	Y	Y
F14.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	SP
F15.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	SP
<p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: FS. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p> <p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> <p>***Use F10. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>																
G. MOTOR VEHICLE RELATED SALES AND SERVICE USES																
G1.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.	N	N	N	N	N	N	SP	Y	N	N	N	N	N	N	Y
G2.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N	Y
G3.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G4.	Repair garage for motor vehicles.	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G5.	A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
G6.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N
G7.	Carwash**	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	N
G8.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	N	SP	SP	SP	N	N	N	N	N	N
G8a.	The storage and parking of motor vehicles, with no provision for operations incidental to the servicing of such vehicles	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	Y
G9.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N
<p>* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)</p> <p>** Mechanical vehicular washing system using water and chemical additives.</p>																

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
H. TRANSPORTATION, COMMUNICATION, UTILITY USES																
H1.	Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.	SP	N	SP	N	N	N	N	N	N	N	N	N	N	SP	N
H2.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	N	SP	N	Y	Y	Y	N	Y	Y	N	N
H3.	Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	Y ^c	Y	Y	Y	N	SP	Y	N	N
H4.	Wireless Communications Facility, including only a BMWCF, an AWCf, and co-locating a WCF on an existing free standing monopole or lattice tower. ^d	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP
H5.	Wireless Communications Facility, including only a free standing monopole. ^d (Art. 25, Spring ATM 4/9/19)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	N
H6.	Indoor Wireless Communications Facility (IWCF). ^d	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
H7.	Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)**	N	N	N	N	N	N	SP	SP	SP	SP	N	N	SP	N	N
^d (Amended Art. 30, Fall ATM, 10/8/98)																
**Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts																
Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3																
I. PROFESSIONAL AND MEDICAL OFFICE USES																
I1.	Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)	N	N	N	SP	N	SP	Y	Y	Y	SP	N	Y	SP	Y	Y
I1a.	Business Training Center	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e	Y	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e	Y	Y
I2.	Administrative offices, clerical offices, statistical offices (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	Y	N	SP*	SP*	N	Y	SP	Y	Y
I3.	Health Care facility, including a hospital, diagnostic and health care professional offices.															
	i) under 2500 sq. ft.	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N
	ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)	N	N	N	N	N	SP	SP	SP	N	N	SP	Y	N	N	N
I4.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	N	Y	N	N	N	Y	N	N	N
* Any special permit granted for this use shall be subject to the provisions of Section VI DD																
J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES																
J1.	Establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	---	N	SP*	SP*	N	Y	SP	Y	Y
J1a.	Establishments for scientific research or scientific development or related production	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e	Y	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e	N ^e
J2.	Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	N	Y	Y	N	N	Y	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
K. MANUFACTURING AND INDUSTRIAL USES																
K1.	Printing or publishing establishment provided that not more than five thousand feet are used for work and storage	N	N	N	N	N	SP	Y	Y	N	N	N	Y	N	Y	Y
	a. over 5,000 sq. ft.	N	N	N	N	N	SP	Y	SP	Y	Y	N	N	Y	Y	Y
K2.	Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)	N	N	N	N	N	N	---	Y	SP	SP	N	SP	SP	N	Y
K2a.	Specialty Craft Fabrication, where all noises, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible and such a use is located not less than fifty (50) feet from the residential district	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K3.	Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)	N	N	N	N	N	SP	Y	SP	SP	SP	N	SP	SP	N	Y
K4.	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	N	Y	Y	N	SP	Y	N	N
K5.	General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	N	N	N	Y	N	N	Y	N	N
K6.	Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)	N	N	N	N	N	N	---	N	N	SP*	N	N	SP	N	N
K6a.	Warehouse of less than 1,000 square feet gross floor area	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K6b.	Warehouse of more than 1,000 square feet gross floor area	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
K7.	Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.	N	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N
K8.	Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	N	Y	Y	Y	N	SP	Y	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
K9.	Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.	SP	N	SP	N	N	N	N	N	SP	SP	N	N	SP	N	N
L. INSTITUTIONAL AND EXEMPT USES																
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	Y	Y	Y	Y	N	SP	Y	N	Y
L1a.	A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L1b.	Building owned by the Federal Government, the Commonwealth of Massachusetts or the Town of Natick or its departments; and libraries and museums, but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
L2.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	N	SP	Y ^w	Y	Y	Y	N	Y	Y ^w	N	Y ^w
‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17)																
Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3																
L3.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	N	SP	Y ^w	Y	Y	Y	N	Y	Y ^w	N	Y ^w
L3a.	Schools conducted by a non-profit educational corporation on land which it owns	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡	SP	N	SP	SP	N	SP	Y ^w	SP	SP	N	SP	Y	SP	N	Y ^w
<p>* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence."</p> <p>* "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." (Art. 14, 1987 Fall A.T.M.)</p> <p>‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17)</p> <p>Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3</p>																
M. OTHER USES																
M1.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	SP	(*)	Y	Y	Y	N	Y	Y	Y	Y
M2.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	SP	---	SP	SP	SP	N	SP	SP	N	---
M2a.	Accessory Use	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP
M3.	Fallout shelter	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
M4.	Mixed-use development	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	SP	N ^y	N ^y	N ^y
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres “D”)																
Note: For districts FP, HM-II, HM-III, HPU see Section III Page																

- ^a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements
- ^b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements
- ^c LC Zoning District allows for one family attached or detached dwelling
- ^d See Use Category Line 3a - Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings if existing as of the time of adoption of this By-Law
- ^e See Use Category Line 3b - Two-family or semi-detached dwelling, including alterations and conversions of single-family dwellings
- ^f Multi-family Dwellings shall comply with Section III.E.2 of the Zoning Bylaw
- ^g See Use Category Line 4a - Multi-family building types for not less than three (3) dwelling units but not more than six (6) dwelling units building, such as: apartment houses and/or town houses, with no more than six (6) dwelling units per acre; subject to and consistent with the provisions of Section V-J of this by-law
- ^h LC Zoning District allows for the renting of one or two rooms and/or furnishing of board by a resident family to a total of not more than four (4) non-transient persons
- ⁱ See Use Category Line 10A – Customary Home Occupation
- ^j See Use Category Line 13A – Private garage or outdoor vehicle storage in connection with a dwelling
- ^k See Use Category Line 16A – Boarding House, Tourist Home or Lodging House
- ^l See Use Category Line 21c - Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one (100) feet from the nearest residentially zoned district and that golf shall be by natural light only
- ^m See Use Category Line 18a - Private or commercial, including golf (by natural light only), outdoor swimming, riding, outdoor tennis and boating facilities, provided that no structures are located closer than one hundred (100') feet from any lot line
- ⁿ Wholesale or retail stores or office or showroom with inside storage of goods
- ^o See Use Category Line 33a - Eating establishments without live or mechanical entertainment. Outdoor dining is allowed provided that: i. A minimum six (6) feet clear path is maintained free of obstruction in any pedestrian pathway or sidewalk, ii. The outdoor dining area is at least 50 feet from a residential district, iii. Where an outdoor dining area will abut a street or parking area, the Police Department and Department of Public Works have provided written approval of protective measures to prevent vehicular intrusion into the outdoor dining area, iv. The proposed outdoor dining area complies with all other Town and State rules and regulations.
- ^p See Use Category Line 33e - Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district
- ^q See Use Category Line 35A, Eating establishments providing live or mechanical entertainment
- ^r Such Use Category shall apply to both Hotels and Motels
- ^s In the DM Zoning District radio and TV stations offices are included in this Use Category, while towers are excluded.
- ^t See Use Category Line 63a – Establishment for scientific research or scientific development or related production
- ^u See Use Category Line 66A - Specialty Craft Fabrication, where all noises, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible and such a use is located not less than fifty (50) feet from the residential district
- ^v See Use Categories Line 70a – Warehouse of less than 1,000 square feet gross floor area, and Line 70b – Warehouse of more than 1,000 square feet gross floor area
- ^w Such uses are subject to Section III-A.7 of the Zoning Bylaw
- ^x See Use Category Line 79 – Other accessory use normally incidental to a permitted use
- ^y Use not yet authorized by Town Meeting

FINANCE COMMITTEE RECOMMENDATION – MOTION B

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	12-0-0
	DATE VOTED:	October 4, 2023

MOTION B (Requires a 2/3 Vote)

Move that the Town vote to amend Section III-A.2, Uses L2 (Church, rectory, convent, parish house, and other religious institutions), L3 (Schools: public, religious, sectarian, or private), and L4 (Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit) to ensure the compliance of the Natick Zoning Bylaw with Mass General Law Chapter 40A Section 3 (Dover amendment protected uses) as follows:

Delete

- ‘w’ endnote from the Use Category L2. from columns for the DM, HMI^a, and LC Zoning Districts; Use Category L3. from columns for the DM, HMI^a, and LC Zoning Districts; and Use Category L4. from columns for the DM and LC Zoning Districts.
- ‘*’ footnote from Use Category description L4.
- Use Category L3a. line in its entirety
- Footnote reference from ‘‡’ from Use Category descriptions L2., L3., and L4.
- Footnote text ‘‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7.(Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3’ that is below ‘L2. Church, rectory, convent, parish house, and other religious institutions.’ and above ‘L3. Schools: public, religious, sectarian, or private’
- Footnote text
 - “* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence." ‘
 - “* "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." ‘
 - (Art. 14, 1987 Fall A.T.M.)
 - “‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7.”.(Art. 3, STM#1, 5/9/17)’

That list located below Use Category ‘L4. Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.’

- ‘SP’ from Use Category L2. column for AP; L3. column for AP; L4. columns for RG, RS, PCD, AP, CII, INI, H, HMI^a
- ‘N’ from Use Category L2. column for H and HMI^b; L3. columns for H and HMI^b; and L4. Columns for RM, INII, and HMI^b

so that the amended language will read as follows

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
L. INSTITUTIONAL AND EXEMPT USES															
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	Y	Y	Y	Y	N	SP	Y	N	Y
L1a.	A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L1b.	Building owned by the Federal Government, the Commonwealth of Massachusetts or the Town of Natick or its departments; and libraries and museums, but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
L2.	Church, rectory, convent, parish house, and other religious institutions.	Y	Y	Y	Y		Y	Y	Y	Y		Y	Y		Y
L3.	Schools: public, religious, sectarian, or private.	Y	Y	Y	Y		Y	Y	Y	Y		Y	Y		Y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.						Y					Y			Y

Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3

^a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements

^b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements

^w Such uses are subject to Section III-A.7 of the Zoning Bylaw

^y Use not yet authorized by Town Meeting

And to further amend Section III-A.2. L Institutional and Exempt Uses

Insert

- ‘w’ endnote to Use Categories L2., L3., and L4.
- ‘Y’ to Use Category L2. column for AP, H, HMI^b; L3. column for AP, H, HMI^b; L4. columns for RG, RM, RS, PCD, AP, CII, INI, INII, H, HMI^a, HMI^b

so that the amended language will read as follows

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
L. INSTITUTIONAL AND EXEMPT USES															
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	Y	Y	Y	Y	N	SP	Y	N	Y
L1a.	A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L1b.	Building owned by the Federal Government, the Commonwealth of Massachusetts or the Town of Natick or its departments; and libraries and museums, but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
L2.	Church, rectory, convent, parish house, and other religious institutions. ^w	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
L3.	Schools: public, religious, sectarian, or private. ^w	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit. ^w	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3

^a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements

^b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements

^w Such uses are subject to Section III-A.7 of the Zoning Bylaw

^y Use not yet authorized by Town Meeting

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B

Ms. Loomis explained that Motion B focuses on Section L of the Use Regulation Schedule, aligning it with the Dover Amendment (M.G.L. Ch. 40A, Sec. 3) where we cannot require special permits or unreasonable regulations related to religious institutions, schools, or childcare facilities. Dover projects have limited review criteria, mainly concerning building height, parking, lighting, landscaping, and stormwater related to parking.

The proposal is to make these uses "Y" in the use category and add a new footnote "W" referring to Section III-A.7 (*Regulation of Land or Structures for Purposes Otherwise Exempted from Permitting*). This alignment with state law eliminates the need for L3A, the two footnotes, and the double-plus footnote.

Questions from the Committee

A member asked whether the term “religious institutions” was defined anywhere in the by-laws. Ms. Loomis answered that it was not, but this is something they are actively working on refining definitions for and that this is part of what could come back in the spring.

The member also asked what would happen if a building was being used for a mixed purpose such as a church with a bookstore in it. Ms. Loomis said that the building inspector would make a determination about what the primary use of the building was and whether the other use was part of the religious mission.

The member asked whether Town Counsel thought this change was required by state and federal law. Ms. Loomis confirmed that it was consistent with the advice they had received from Town Counsel on this.

ARTICLE 17 MOTION B – USE REGULATION SCHEDULE REDLINE

Article 17

		RG	RM	RS	PCD	AP	DM	CII	INI	INII	H	CG	HMI ^a	HMI ^b	LC
L. INSTITUTIONAL AND EXEMPT USES															
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	SP	Y	Y	Y	Y	N	SP	Y	N	Y
L1a.	A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	Y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y
L1b.	Building owned by the Federal Government, the Commonwealth of Massachusetts or the Town of Natick or its departments; and libraries and museums, but excluding solid waste disposal facilities	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	N ^y	Y
L2.	Church, rectory, convent, parish house, and other religious institutions. “ ± ”	Y	Y	Y	Y	<u>YSP</u>	<u>Y^w</u>	Y	Y	Y	<u>YN</u>	Y	<u>Y^w</u>	<u>YN</u>	<u>Y^w</u>
“ ± ” Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															
L3.	Schools: public, religious, sectarian, or private. “ ± ”	Y	Y	Y	Y	<u>YSP</u>	<u>Y^w</u>	Y	Y	Y	<u>YN</u>	Y	<u>Y^w</u>	<u>YN</u>	<u>Y^w</u>
L3a.	Schools conducted by a non-profit educational corporation on land which it owns	N^y	N^y	N^y	N^y	N^y	Y	N^y	N^y	N^y	N^y	N^y	N^y	N^y	N^y
L4.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit. “ ± ”	<u>YSP</u>	<u>YN</u>	<u>YSP</u>	<u>YSP</u>	<u>YSP</u>	<u>Y^w</u>	<u>Y SP</u>	<u>Y SP</u>	<u>Y N</u>	<u>Y SP</u>	Y	<u>Y SP</u>	<u>YN</u>	<u>Y^w</u>
“ ± ” However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence.” “ ± ” Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, “Site Plan Review”; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site.” — (Art. 14, 1987 Fall A.T.M.) “ ± ” Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-II, HM-III, HPU see Section III Page 3															

- ^a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements
- ^b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements
- ^w Such uses are subject to Section III-A.7 of the Zoning Bylaw
- ^y Use not yet authorized by Town Meeting

~~ END OF ARTICLE ~~

ARTICLE 18
Amend Zoning Bylaw: Site Plan Review Procedures
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw by modifications including, but not limited to, § VI-DD Special Permit Procedures and Site Plan Review and Section 200 – Definitions to provide clear, transparent, and efficient permitting review process; or act in any other manner in relation thereto.

PURPOSE OF THE ARTICLE

To update the Site Plan Review Procedures in the Zoning Bylaws.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a Majority Vote)

Move No Action on the subject matter of Article 18

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Planning Board, the sponsor of Article 18, heard the article at their September 27, 2023, meeting and voted No Action. The Finance Committee, in recognition of the sponsor's preferred outcome, voted No Action on this article. Ms. Amanda Loomis, Community Development Director, indicated that the subject matter of this article would likely be brought forward in the spring.

~~ **END OF ARTICLE** ~~

ARTICLE 19
Amend Zoning Bylaw: Special Permit Procedures
(Planning Board)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Bylaw by modifications including, but not limited to, § VI-DD Special Permit Procedures and Site Plan Review and Section 200 – Definitions to provide clear, transparent, and efficient permitting review process; or act in any other manner in relation thereto.

PURPOSE OF THE ARTICLE

To update the Special Permit Procedures in the Zoning Bylaws.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a Majority Vote)

Move No Action on the subject matter of Article 19

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Planning Board, the sponsor of Article 19, heard the article at their September 27, 2023, meeting and voted No Action. The Finance Committee, in recognition of the sponsor's preferred outcome, voted No Action on this article. Ms. Amanda Loomis, Community Development Director, indicated that the subject matter of this article would likely be brought forward in the spring.

~~ END OF ARTICLE ~~

ARTICLE 20
Amend Zoning Map: Highway Mixed Use-I (HM-I) Zoning District
(Town Administrator)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning Map to rezone parcels of land identified as Assessor's Map 17, Lots 11 and 12 (1053 Worcester St); Map 25, Lot 252B (1071 Worcester St); Map 25, Lot 252A (1085 Worcester St); Map 25, Lot 253A (1093 Worcester St); Map 17, Lot 10 and Map 25, Lot 253B (1131 Worcester St); Map 25, Lot 253 (1187 Worcester St) from Industrial-II (IN-II) to Highway Mixed Use-I (HM-I) Zoning District; rezone the respective frontages of Assessor's Map 25, Lot 252A; Map 25, Lot 252B; Map 25, Lot 253A; and Map 25, Lot 253B to the centerline of the roadway (Worcester Street/Route 9) as Highway Mixed Use-I (HM-I); or act in any other manner in relation thereto.

PURPOSE OF THE ARTICLE

The purposes of the proposed zoning map amendments are to:

- Allow for consolidation of zoning districts to reduce the number of zoning districts where parcels engage in similar uses within a predominately commercial area.
- Allow for future development of Small and Large Corporate Campus Parcels, as approved at the 2023 Spring Annual Town Meeting.
- Rezone the roadways from the parcel line to the center of Worcester Street to follow zoning best practices.
- Allow for future development of land along Worcester Street that supports nonresidential taxpayers.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a 2/3 Vote)

MOTION – Add Land to the Highway Mixed Use-I (HM-I) District

Move that the Town vote to amend the Town of Natick Zoning Map, in accordance with Section III-B (Location of Districts: Zones) of the Natick Zoning Bylaws as follows:

by changing the zoning of the following parcels identified as Assessor's Map 17, Lots 11 and 12 (1053 Worcester St); Map 25, Lot 252B (1071 Worcester St); Map 25, Lot 252A (1085 Worcester St); Map 25, Lot 253A (1093 Worcester St); Map 17, Lot 10 and Map 25, Lot 253B (1131 Worcester St); Map 25, Lot 253 (1187 Worcester St) from Industrial-II (IN-II) to Highway Mixed Use-I (HM-I) Zoning District

And to amend the Natick Zoning Map so that the respective frontages of Assessor's Map 25, Lot 252A; Map 25, Lot 252B; Map 25, Lot 253A; and Map 25, Lot 253B to the centerline of the roadway (Worcester Street/Route 9) as Highway Mixed Use-I (HM-I);

As shown on the plan on file with the Town Clerk Office.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Amanda Loomis, Community & Economic Development Director, presented this article. In 2023 SATM Articles 28 and 29, amendments to the HM-I zoning district were introduced to address zoning issues near the Lakeside MathWorks property. The Zoning Bylaw was modified to provide more flexibility and establish stringent design guidelines for small and large corporate campus parcels.

In doing that work, they found an opportunity to fix other issues in that area. The proposal in this motion is to move certain parcels located near the ones rezoned in the spring from Industrial (IN-II) to Highway Mixed Use (HM-I). This would allow a small corporate campus to be built on those parcels, which include the Exponent building and an office building next door. The constraints of the Cochituate Rail Trail to the east, Route 9 to the south, and Lake Cochituate to the west would limit the total square footage to below 200,000.

The proposed rezoning is aimed to facilitate future expansion on the property, emphasizing good design practices, landscaping, and amenities typically associated with a small corporate campus.

Questions from the Committee

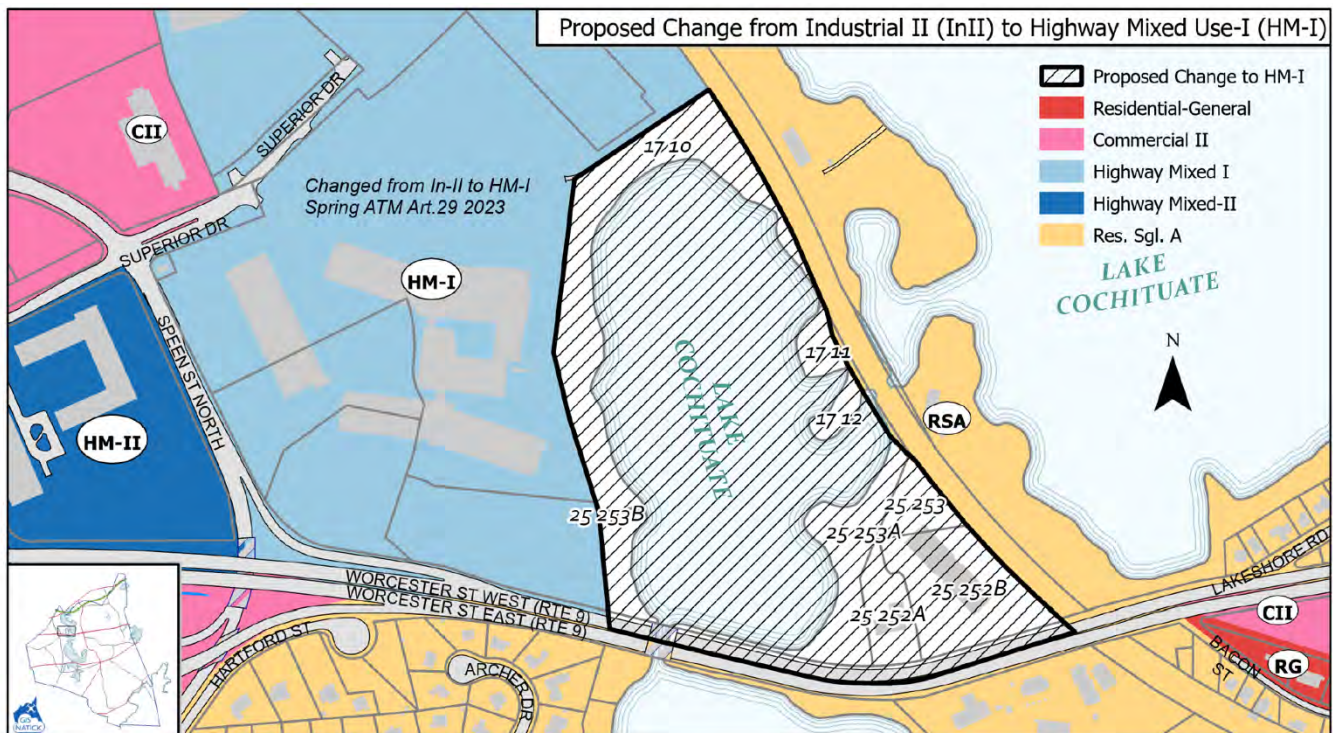
A member asked to confirm that the entire parcel which includes Lake Cochituate is a state park. Ms. Loomis confirmed that it is.

A member asked whether it was contemplated to go in another direction with these parcels that would be more conducive to open space and recreational use. Ms. Loomis explained that there can't be any type of development on Lake Cochituate and the area immediately adjacent to the lake because it is owned by

the state. For this motion, the goal was to move all the parcels surrounding the lake into the same classification of HM-I.

A member asked whether there has been any expressed interest in turning those parcels into a campus. Ms. Loomis said there weren't immediate plans to do that but that they had some preliminary conversations with the owners of these parcels about that idea.

Map of area:



~ END OF ARTICLE ~

ARTICLE 21
Re-Zoning of 24 North Main St., 26 North Main St., 30 North Main St.
(Kenneth B. Phillips, et al.)

ARTICLE LANGUAGE

“To see what action(s) the Town will take to re-zone the properties located at 24 North Main Street, Parcel ID: 43-00000468; 26 North Main Street, Parcel ID: 43-00000469; 30 North Main Street, Parcel ID: 35-00000039, from Residential General (RG) to Downtown Mixed Use (DM), or Commercial II (CII), or Center Gateway (CG), or otherwise act thereon.”

PURPOSE OF THE ARTICLE

To develop a gateway or segue from 30 N Main into the Downtown Mixed Use District. Current pre-existing non-conforming use of 30 N Main St is mixed-use in a residential only district. This seeks to allow 24, 26, and 30 N Main Streets the ability to engage in mixed-use as well as small retail tenancies, offices and the like are suitable in this area. By including 24 and 26 North Main Streets in the zoning it will be a contiguous zoning area and not create a so-called zoning “island.”

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Referral to Sponsor and Planning Board
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a Majority Vote)

Move to refer the subject matter of Article 21 to the Sponsor and the Planning Board

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

On September 27, 2023, the Planning Board had no recommendation on Article 21 (2-2 vote for Favorable Action). The sponsor did not attend the Finance Committee hearing on Article 21 the following night. The Finance Committee then voted to recommend referral to the sponsor and the Planning Board. In a subsequent conversation, the sponsor indicated that they may bring the article back to Town Meeting in the spring, after additional input from the Planning Board.

~~ **END OF ARTICLE** ~~

ARTICLE 22
Amend Zoning Bylaw Body Art Establishments in Downtown
Mixed Use (DM) Zoning District
(Paul R. Joseph, et al.)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Natick Zoning ByLaw and Use Regulations Schedule to allow Body Art Establishments in the Downtown Mixed Use (DM) Zoning District; and to amend the definition of Body Art in section 1- General, Section 200 (Definitions) of the Natick Zoning ByLaws to include “Permanent Make-up and “Microblading” within the description of the “practice of physical body adornment;” or otherwise act thereon.

PURPOSE OF THE ARTICLE

To amend the definition of Body Art to include permanent cosmetics, permanent make-up, micropigmentation, microblading; to allow for proprietors of Body Art Establishments to conduct business in the Downtown Mixed Use Zoning District.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	September 28, 2023

MOTION (Requires a 2/3 Vote)

Move that the Town vote to amend Section 200 (Definitions), Section III-A.2 (Use Regulations Schedule) Section F5 (Body Art Establishments), and Section III-A.2, Section F5, Note 2: F5. Body Art Establishments of the Natick Zoning ByLaws, as follows:

Amend Section 200 – Definitions, by amending the definition of “Body Art” as follows:

Insert immediately after “cosmetic tattooing, ” and immediately preceding “branding” the following: “permanent cosmetics, permanent make-up, micropigmentation, microblading,”

and

Amend Section III-A.2 (Use Regulations Schedule) Section F5 (Body Art Establishments) by designating the use under “DM” column as “SP”,

and

Amend Section III-A.2 (Use Regulations Schedule) Section F5 (Body Art Establishments), Note 2: F5. Body Art Establishments as follows:

Insert immediately after “Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district” and immediately preceding “upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA)” the following: “and the Downtown Mixed Use (DM) district” and

Insert immediately after “This use is prohibited on all parcels which are not located totally within the RC overlay district ” and immediate preceding “and specifically prohibited on any premises zoned...” the following “or the DM district”.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Paul Joseph, Sponsor of the article (*Note: Mr. Joseph is also a member of the Select Board however brought this motion forward as a citizen*).

The sponsor began by stating that this article is to amend our Zoning bylaw to broaden our definition of body art and allow body art establishments in the Downtown Mixed Use zoning district. This was presented to both the Select Board and Planning Board and both bodies supported this motion unanimously.

There is a current business owner in Natick who signed a lease and then later learned they were not permitted to do permanent makeup and microblading. Adding this allowed use is vital to driving revenue

for this business. Anecdotally, the town has lost several businesses of this type because of the restrictive zoning.

At this time, we allow this use under a special permit process with the Planning board only in the Regional Corridor Overlay district. This proposal is to add the Downtown Mixed Use district. There was a discussion with the Planning Board around why we are not expanding to more zoning districts. While the sponsor does not disagree with that, the idea of making changes across the entire town seemed daunting and less predictable, so for now, he focused on the area where we already have a designated cultural district. The Planning Board may revisit this and expand the use in the spring.

QUESTIONS FROM THE COMMITTEE

A member asked if there was any negative feedback from various constituents. The sponsor shared they have not received any negative feedback. The sponsor added that they met with the Head of the Health Department, who shared there was no material difference or imposition to the Health Department by making this revision.

DEBATE

A member commented that this is a great way to support our local businesses, and would encourage an expanded use to all commercial zoning sections in the future.

A member commented that this will support the vibrancy of downtown and thanked the sponsor for bringing it forward.

Article 22 Proposed Zoning Bylaw Changes

Section 200 – Definitions

Current:

Body Art: The practice of physical body adornment by body piercing, tattooing, cosmetic tattooing, branding and/or scarification. This definition shall not be deemed to include practices that are considered medical procedures by the Massachusetts Board of Registration in Medicine and shall not include piercing of the earlobe.

Article 22 redline:

Body Art: The practice of physical body adornment by body piercing, tattooing, cosmetic tattooing, permanent cosmetics, permanent make-up, micropigmentation, microblading, branding and/or scarification. This definition shall not be deemed to include practices that are considered medical procedures by the Massachusetts Board of Registration in Medicine and shall not include piercing of the earlobe.

Section III-A.2 (Use Regulation Schedule)

Current:

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
22B	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N	N

Article 22 redline (if Article 15 passes changing the use number from 22B to F5):

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
F5	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	<u>NSP</u>	N	N	N	N	N

Section III-A.2 (Use Regulation Schedule) – Note 2

Current:

Note 2: 22B. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.

Article 22 redline (if Article 15 passes changing the use number from 22B to F5):

Note 2: F5. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district and the Downtown Mixed Use (DM) district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district or the DM district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.

~~ END OF ARTICLE ~~

ARTICLE 23
To Ensure Safety of Residents living on Dead-End Streets
(Roger G. Scott, et al.)

ARTICLE LANGUAGE

To see if the Town will vote to amend the zoning bylaws to limit the number of new housing units that can be built on a residential street consisting of five or fewer existing single family residences to a maximum of fifteen units, or to take any other action with respect thereto.

PURPOSE OF THE ARTICLE

To protect the residents who live on dead-end streets in the town of Natick from excessive building on their streets that would potentially endanger their safety during emergencies.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Referral to Sponsor
	QUANTUM OF VOTE:	9-0-0
	DATE VOTED:	September 7, 2023

MOTION (Requires a Majority Vote)

Move to refer the subject matter of Article 23 to the Sponsor.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Mr. Roger Scott

Mr. Scott explained that Article 23 is being proposed as a safety measure for residents living on dead-end streets by amending the zoning bylaws to limit the number of new housing units that could be built.

The Finance Committee reminded Mr. Scott that any zoning amendments must first be submitted to the Select Board and then referred by the Select Board to the Planning Board for review before Town Meeting can legally take action on them. Although members of the Finance Committee agreed that the steps needed for a citizen's petition are often confusing, proper procedures must be followed. This article was referred back to the sponsor so that he has the opportunity to take it through the proper channels.

Original Sponsor Motion

To see if the Town will vote to amend the zoning bylaws to limit the number of new housing units that can be built on a residential street consisting of five or fewer existing single-family residences to a maximum of fifteen units, or to take any other action with respect thereto.

~~ END OF ARTICLE ~~

ARTICLE 24
Charter and ByLaw Review Committee Report and Extension
(Charter and ByLaw Review Committee)

ARTICLE LANGUAGE

To see what action the Town will take to hear and to discuss a report of the Charter and ByLaw Review Committee,

To see what action the Town Meeting will take to extend the term of the Charter and ByLaw Review Committee

PURPOSE OF THE ARTICLE

To hear a report from the Charter and ByLaw Review Committee and extend the Committee's term.

FINANCE COMMITTEE RECOMMENDATION – MOTION A

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	11-0-1
	DATE VOTED:	October 4, 2023

MOTION A (Requires a Majority Vote)

Move that the town vote to hear a report of the charter and bylaw review committee.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A

A member asked how this Article relates to Articles 25 and 26. Paul Griesmer, chair of the Charter and ByLaw Review Committee (CBRC), said that it's independent from Articles 25 and 26.

A member asked why the CBRC decided not to include “discuss” and just make it “hear” in the requested motion. Mr. Griesmer explained that he felt the substantive issues would be discussed in Articles 25 and 26.

FINANCE COMMITTEE RECOMMENDATION – MOTION B

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	12-0-0
	DATE VOTED:	October 4, 2023

MOTION B (Requires a Majority Vote)

Move that the town vote to extend the term of the charter and bylaw review committee through the dissolution of Fall 2024 town meeting.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B

A member asked about the \$50,000 that was previously appropriated to cover costs of the committee's special legal counsel, and whether there might need to be additional funding. Mr. Griesmer indicated that there further appropriation would not be needed before spring 2024, but potentially before fall 2025.

A member asked if, given the request for an extension, any thought was given to putting at least the by-law changes off until Spring. Mr. Griesmer explained that there would likely be additional by-law changes in the spring but the ones the CBRC was bringing forward now would help make Town Meeting more efficient and were relatively straightforward.

~~ END OF ARTICLE ~~

ARTICLE 25
Charter Change
(Charter and ByLaw Review Committee)

ARTICLE LANGUAGE

To see what action(s) the town will take, consistent with the scope of this town meeting warrant article, to vote the language of and to authorize the filing of a Home Rule Petition for Special Act Legislation with the General Court involving any or all of the following changes to the Charter and to see if the Natick representative town meeting will consider the following comprehensively or in segments or sub segments as follows:

Representative Town Meeting - Charter Article 2

- (1) to amend or modify the language of Charter Article 2 to decrease or increase the number of representative town meeting members;
- (2) to amend or modify the language of the provisions in Charter Article 2 regarding filling of vacancies in representative town meeting and/or to amend or modify the provisions regarding the caucus procedure in Charter Article 2;
- (3) to create provisions in Charter Article 2 or other Charter articles or sections regarding removal of representative town meeting members, to specify the causes or basis thereof and or to authorize such provisions to be developed in a bylaw;
- (4) to amend or modify the language regarding the quorum of representative town meeting to reflect any changes above;
- (5) to amend or modify the language regarding the initiation of town meeting warrant articles under Charter Article 2, section 2-11(b) by multiple member bodies to be only those articles sponsored by multiple member bodies with an existence and charge created by statute, charter, bylaw or vote of town meeting or to provide that any warrant articles sponsored by an appointed multiple member body that was not created and given a charge in statute, charter, bylaw or vote of town meeting, be, prior to filing, subject to the approval of the appointing authority for such multiple member body and/or to create a new definition in Charter Article 7 for an authorized multiple member body and to use that definition in Charter Article 2, section 2-11(b) to replace the term "multiple member body";
- (6) to amend or modify the language in the first part of Charter Article 2, section 2-11(b) to provide that the Select Board insert in the warrant all petitions which are received by and/or addressed to the Select Board pursuant to section 2-11(b);
- (7) to amend or modify the language of the provisions of Charter Article 2, section 2-10 pertaining to attendance of all town employees and or representatives from any or every town agency at all sessions of representative town meeting and instead to authorize the Moderator to require and to schedule attendance of town employees and town agencies as appropriate consistent with the nature of business pursuant to warrant articles, to arrange for town agencies not in attendance to be contacted by the Moderator during a session of representative town meeting, to authorize hybrid attendance by town employees and agencies and /or to provide for alternatives to the current charter requirement on attendance to be addressed in a bylaw.

Elected Officers - Charter Article 3

(8) to amend or modify the language of Charter Article 3, section 3-1(f) to exclude the Moderator and committees appointed by the Moderator and with regard to other elected officer to limit the scope of Charter Article 3, section 3-1(f) to matters involving joint activities, policies or administrative matters and to add language within the text referencing or strengthening the coordination provision;

(9) to eliminate the provisions for preliminary elections in Charter Article 3, section 3-1(d) and to provide that town wide officers elected with less than a majority for a particular position be elected to a truncated term serving only until the next regular local election and/or to provide that such position to be filled at the next regular local election shall be the balance of the original non truncated term and/or to provide for ranked choice voting, as practical or otherwise, as an alternative solution to eliminating the provisions for preliminary elections in Charter Article 3 and/or to remove obsolete references, if any, to an elected town clerk from Charter Article 3, section 3-1-(a);

(10) to include in the language within Charter Article 3, section 3-12(b) that the recreation and parks commission shall be authorized also to advise the Select Board on policies and practices for parks and recreation within the Town.

Select Board - Charter Article 3, section 3-2

(11) to amend or modify the language of the powers and duties and/or appointment powers of the Select Board under Charter Article 3 to have certain appointments instead made by the town administrator, to specify such appointments, to specify which if any such appointments would be subject to the review and affirmative vote approval of the Select Board, (provided that any such change to additional duties, powers and/or appointing authority for the town administrator under this paragraph and under any paragraph above or below can only occur if provisions for removal or suspension for the Town Administrator currently provided for in Charter Article 4 are changed to less than unanimous attendance by the Select Board) and/or to modify or amend the language in Charter Article 4, section 4-2-3 and or elsewhere to specify or to authorize any appointments to be made subject to review and affirmative vote approval of the Select Board;

(12) to modify the restriction currently in Charter Article 3 section 3-2 on the Select Board broad policy guidelines to allow specific policies that are capable of being followed by others serving under the overall supervision or authority of the Select Board but still not involving involvement by the Select Board in day to day operations or administration and /or to specify that the chief policy making agency role of the Select Board is a role exercised as a town agency;

(13) to amend or modify the language in Charter Article 3, section 3-2 of the powers and duties of the Select Board to include or to specify that the Select Board shall serve in a policy making, review and oversight capacity as the commissioners of parks, public works, roads, water and sewer, police, fire and other functions, if any, to be specified;

(14) to specify, within Charter Article 3, section 3-2(b) or elsewhere in Charter Articles 3 or 4, that performance review of the town administrator is to be conducted by the Select Board both on its own behalf and on behalf of the town overall and other elected officers, their appointees and representative town meeting.

Town Counsel - Charter Article 3; Charter Article 6

(15) to amend or modify the language with regard to town counsel either

(i) to amend or modify the language of the appointment of town counsel in Charter Article 3, section 3-2 to remove the singular and one year limitation and to provide that such appointment(s) be subject to bylaw, if any, and to permit, subject to bylaw, if any, other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties;

(ii) to remove the references in Charter Article 3, section 3-2 regarding town counsel and provide for such Select Board appointment of town counsel within Charter Article 6; and/or

(iii) to amend or modify the language of Charter Article 6 to authorize other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties.

Moderator - Charter Article 3-10

(16) (i) to authorize the Moderator in Charter Article 3 section 3-10 (b) to appoint a deputy moderator to preside over representative town meeting in the absence of the Moderator, or (ii) in the alternative, in an additional section or subsection under Charter Article 3, to provide for such deputy moderator as an elected office of the town, and/or (iii) to authorize the town to specify the term, duties and responsibilities and other provisions of such Deputy Moderator in Charter Article 3 and/or a bylaw and/or (iv) to determine whether any appointment of a Deputy Moderator should be subject to the approval of representative town meeting.

Town Administrator - Charter Article 4

(17) to amend or modify the language of Charter Article 4 (and other associated references within the Charter) to rename the town administrator position as town manager, to provide additional appointments to be made by the town administrator whether in the charter or in bylaw, to authorize contract approval powers of the town administrator to be developed in a bylaw, to provide the town administrator a screening and or recruitment role in appointments retained by the Select Board;

(18) to amend or modify the language of the provisions, procedure and/or requirements for attendance by and/or quantum of vote of the Select Board in Charter Article 4 regarding removal or suspension of the town administrator (provided that any change to create additional duties, powers and/or appointing authority for the town administrator under this paragraph or any paragraph above or below can only occur if the provisions for the removal or suspension of the Town Administrator under Charter Article 4 are changed to less than unanimous attendance by the Select Board) and further to provide that any new or revised process in Charter Article 4 be no more burdensome or onerous or disadvantageous to the Select Board than the existing process, and/or to require that any employment contract with the town administrator be consistent with the provisions of the Charter notwithstanding any other provision of the general laws to the contrary;

(19) to amend or modify the language of the provisions in Charter Article 4, section 4-1 on the appointment of a town administrator regarding a minimum term of three years and a maximum

term of five years to authorize a lesser minimum term and/or a lesser maximum term;
(20) to amend or modify or to remove the current reference to personnel board and its role in Charter Article 4, section 4-2(4) to provide (i) that the town administrator may be assisted or advised by a personnel board and (ii) that the extent of the role of the personnel board, if any, be specified in a bylaw;
to amend or modify the reference to Generally Accepted Accounting Principles in Charter Article 4, section 4-2(13) and to authorize de minimis or immaterial exceptions to the inventory requirement.

Matters and Provisions in Charter Article 6

(21) to remove the text of Charter Article 6, section 6-3 Office of the Comptroller and Charter Article 6, section 6-4 Town Treasurer Collector and to authorize the subject matter of the appointments, qualifications, terms of office, powers and duties, vacancies and assistants, if any, to be provided in bylaw and/or to provide that the existing text of Charter Article 6, sections 6-3 and 6-4 shall remain in effect until a bylaw dealing with any or all of the existing provisions of Charter Article 6, sections 6-3 and 6-4 respectively are adopted and in effect;
(22) to authorize the town administrator to make minor changes, with the approval of the Select Board, to the town's administrative organization and creation or abolition of new positions of town agencies serving under the control of the town administrator and to establish the conditions for such reorganizations and to define and or to limit the authorizable scope of such minor reorganizations with such authorizable scope possibly but not necessarily being limited to (i) town agencies with similar or overlapping technical disciplines, (ii) actions which do not modify or contradict the bylaws regarding any town agency, or (iii) other limitation(s);
(23) to authorize or provide for the appointment or selection of town counsels and or special town counsels whether in the Charter itself or to create a Charter provision to authorize for such appointments to be provided within the town bylaws;
(24) to provide that reorganizations, creation or abolition of town agencies by bylaw shall take precedence over administrative code actions and to define the term "administrative code";
(25) to insert language in Charter Article 6 providing for existing, new or changed appointments to be made by the Select Board and/or town administrator, and/or to specify which appointments made by the town administrator will be subject to the review and affirmative vote approval of the Select Board and/or to modify or to delete language on appointments accordingly in Charter Article 3 and Charter Article 4 Section 4-2-3 respectively;
(26) to insert language in Charter Article 7, section 7-9 providing that meetings of multiple member bodies shall or can be called either by the chairperson or 1/3rd of the members of such multiple member bodies and to provide for the ways and means of notice of such meetings to all members of such multiple member bodies;
(27) to amend or modify the language of Charter Article 7, section 7-10 to make clear that the requirement for public notices of vacancies in appointed positions includes and applies to expirations of appointed terms whether or not a vacancy as such has occurred or is anticipated to occur.

Other

(28) to develop transition provisions, develop new definitions or modify existing definitions to implement any or all of the above as applicable;

(29) to amend or modify the text of the Charter Articles 1 through 7 inclusive to remove gender specific references and adopt gender neutral, position specific or position neutral references in their place; and/or to remove obsolete references, if any, in Article 3 regarding an elected town clerk;

(30) to amend or modify the language in Charter Articles 1 through 7 inclusive of the requirements and or definitions regarding postings in a local newspaper;

(31) to specify whether any Home Rule Petition for Special Act provided for herein shall only take effect upon approval by the voters by ballot;

(32) to consolidate any or all of the above into a single or more Home Rule Petitions for Special Acts;

(33) to authorize the Charter and ByLaw Review Committee and/or Moderator and/or Select Board to file the Home Rule Petition for Special Act;

(34) to authorize the General Court with the approval of the Town of Natick Charter and Bylaw Review Committee reasonably to modify the Home Rule Petition for Special Act if any, adopted by vote of the representative town meeting pursuant to this town meeting warrant article which modifications are to be consistent with the general public policy objectives of this Home Rule Petition;

Or to take any other action related thereto.

PURPOSE OF THE ARTICLE

To authorize the filing of a Home Rule Petition for Special Act Legislation to update various sections of the Town of Natick Charter.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	
	QUANTUM OF VOTE:	
	DATE VOTED:	

MOTION (Requires a 2/3 Vote)

TBD

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Finance Committee expects to hear Article 25 on October 10, 2023. The motions, recommendations and summary of the discussion will be provided in a supplement to this Recommendation Book.

~~ END OF ARTICLE ~~

ARTICLE 26
Bylaw Changes
(Charter and ByLaw Review Committee)

ARTICLE LANGUAGE

To see what actions the town will take to amend Article 3 of the Bylaws for Procedure at Town Meetings to make changes with regard to:

Article 3 of the Bylaws, as follows:

- (1) Modifying the requirements for the motion for the previous question or removing the existing language to allow Town Meeting to be consistent with Town Meeting Time and the requirements therein contained;
- (2) Allowing the Moderator call the previous question and to establish requirements, if any, for such call;
- (3) Defining No Action as a positive, negative or neutral (non-negative) motion;
- (4) Defining and or distinguishing between Referral and Indefinite Postponement and/or creating an additional new negative motion;
- (5) Creating a consequence for Indefinite Postponement for non-zoning articles and motions;
- (6) Defining, preventing and/or regulating repetitive petitions;
- (7) Authorizing Town Meeting to dissolve at any time and to define the conditions under which such dissolution can occur;
- (8) Distinguishing between referral and referral with request for follow up or action or creating and defining a new motion for such;
- (9) Authorizing Town Meeting to vote multiple line item budgets and/or single appropriations containing multiple line item budget components which could allow the Town Administrator with the approval of the Select Board to transfer money from one line item to another within that single appropriation, provided that such transfers cannot be made from any school department budget and that such transfers must be reported to the finance committee and to the subsequent town meeting;
- (10) Authorizing expanded or existing use of a consent agenda and set the parameters for use of consent agenda or agendas;
- (11) Amending the table of motions, quantum of vote and footnotes consistent with the foregoing, including deleting each appearance therein of the term "2/3 Majority" and inserting in its place "2/3 Vote";
- (12) Defining the scope of permissible relevant debate at representative town meeting;

And further

To see what changes the town will make to change and conform Article 10 Section 1 of the Bylaws with regard to the Select Board powers and duties for the general direction and management of the property and affairs "in all matters not otherwise provided for" to be consistent with the Town Charter and clarify that the provisions of said Section 1 pertain to administrative and not to legislative matters within the Town;

And further

To see what changes the town will make to Article 1 Town Elections and Town Meeting Section 2 Special Town Meetings to modify the provisions for posting in a local newspaper and/or to modify the 28 day advance notice provision;

And further

To see what changes the town will make to the bylaws for such other bylaw amendments as may be necessary to conform the bylaws to any votes of the representative town meeting at this 2023 Fall Annual town meeting to change the town charter whether by special act or otherwise;

Or otherwise act thereon.

PURPOSE OF THE ARTICLE

To make various changes to update the Town of Natick bylaws.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	
	QUANTUM OF VOTE:	
	DATE VOTED:	

MOTION (Requires a Majority Vote)

TBD

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Finance Committee expects to hear Article 26 on October 10, 2023. The motions, recommendations and summary of the discussion will be provided in a supplement to this Recommendation Book.

~~ END OF ARTICLE ~~

ARTICLE 27
Roles and Responsibilities of the Personnel Board
(Select Board)

ARTICLE LANGUAGE

To see what action the Town will take to amend the Natick Home Rule Charter and/or the Natick General Bylaws to amend, change, clarify and/or further define the roles and responsibilities of the Personnel Board, inclusive of any powers and duties of the Board as noted in the Charter and Bylaws; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To update the roles and responsibilities of the Personnel Board

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	10-0-0
	DATE VOTED:	October 3, 2023

MOTION (Requires a Majority Vote)

Move that the Town vote to amend the by-laws as follows:

1. In Article 24, replace Section 2.1 so that the new Section 2.1 reads as follows:

“2.1 The Personnel Board shall serve as an advisory board to the Town Administrator on policy making of the Town in regards to personnel matters and may perform the following functions as may be requested by the Town Administrator:

- a) Review and recommend Classification and Pay Plan adjustments, to be presented to Finance Committee and Town Meeting;*
- b) Review and recommend employee benefit programs and conditions of employment;*
- c) Advise and review personnel procedures and administrative practices as carried out under Article 4-2, Sections 4 and 14 of the Natick Town Charter.”*

2. In Article 24, Section 2.2 first paragraph, remove the words “make recommendations to the Personnel Board on policy matters and” so that the first sentence in Section 2.2 reads as follows:

“2.2 The Town Administrator or his or her designee shall serve as Director of Human Resources of the Town, and administer the day to day personnel practices, procedures and systems of the Town, including, but not limited to:”

3. In Article 24, Section 3.2 remove the last part of the second sentence and the third sentence in its entirety, which reads “said payments shall not be added to base pay. All such payments shall be reported publicly to the Personnel Board at their next regularly scheduled meeting.”

so that the new Section 3.2 shall read:

“3.2 The Pay Plan shall fix the compensation for each employee covered under the Personnel Bylaw. Provided however that the Town Administrator, pursuant to the Employee Evaluation procedure described in Section 9 and subject to available funds, may award a single instance payment to those employees whose work exceeds expectations. Any such payments for personnel appointed by the Select Board shall be subject to their approval.”

4. In Article 24, Section 3.3, remove the last sentence that reads “Notification to the Personnel Board on all such decisions shall be made in a timely fashion.”

so that the new Section 3.3 shall read:

“3.3 All employees entering the employ of the Town and subject to classification of the Pay Plan shall be compensated at the rate of pay recommended by the Director of Human Resources and approved by the Town Administrator.”

5. In Article 24, Section 3.4, replace the section so that new Section 3.4 shall read:

“3.4 The Director of Human Resources, upon review and recommendation by the Personnel Board, may establish during the year the salary schedule which shall be paid in a new position title necessary to the conduct of the business of the Town.”

6. In Article 24, Section 3.8, remove the last part of the sentence that reads “and notification sent to the Personnel Board.”

so that the new Section 3.8 shall read:

“3.8 All requisitions for persons to fill positions or perform duties subject to the Classification Plan shall be submitted to the Director of Human Resources, authorized by the Town Administrator.”

7. In Article 24, Section 11.2 replace reference to the Personnel Board with reference to the Town Administrator, so that new Section 11.2 shall read:

“11.2 The Town Administrator shall have the right to establish at any time and to withdraw at any time, temporary pay schedules in addition to rates as set forth in the Classification and Pay Plan.”

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Jamie Errickson, Town Administrator presented Article 27. He explained that this Article covers changes to the Personnel Board’s role and responsibilities in the bylaws. The key changes include:

- Transforming the Personnel Board from policy makers to advisors to the Town Administrator on personnel issues.
- Clarifying the Town Administrator's role in personnel management and removing certain approval requirements.
- Streamlining language regarding merit adjustments and bonus pay.
- Removing notification requirements for the Personnel Board on specific personnel matters.
- Clarifying the Personnel Board's advisory role in establishing salary schedules.
- Eliminating the need for notifications to the Personnel Board on certain requisitions.
- Granting the Town Administrator the authority to establish temporary pay schedules.

Mr. Errickson’s view was that many of the functions of the Personnel Board are now handled in house and the by-law should be amended to reflect that reality. He noted that some of the by-law language

limits the town's ability to act quickly with respect to getting job descriptions changed and getting job postings made. That said, there is a strong need for the Personnel Board in an advisory capacity.

These changes aim to bring the bylaws in line with current practices and maintain a collaborative relationship between the Personnel Board and the Town Administrator on personnel matters.

Rich Sydney, member of the Select Board, reported that the Select Board had unanimously recommended favorable action on the subject matter of Article 27.

Questions from the Committee

None

~~ END OF ARTICLE ~~

ARTICLE 28
Appointment Authority for the Office of the Comptroller, Police Chief, and/or
Fire Chief from Select Board to Town Administrator
(Select Board)

ARTICLE LANGUAGE

To see what action the Town will take to amend the Natick Home Rule Charter and the Natick General Bylaws to change the appointment authority for the positions/officers of the Office of the Comptroller, Police Chief, and/or Fire Chief positions from appointed positions/officers by the Select Board to appointed positions/officers by the Town Administrator, inclusive of any powers and duties of the positions as noted in the Charter and Bylaws; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To change the appointment authority for the Comptroller, Police Chief, and/or Fire Chief from the Select Board to the Town Administrator.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Action
	QUANTUM OF VOTE:	10-0-0
	DATE VOTED:	October 3, 2023

MOTION (Requires a Majority Vote)

Move No Action on the subject matter of Article 28

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Rich Sydney, Select Board member, explained that the Select Board had a brief discussion of Article 28 at a previous meeting but took no position on it. He believes the Charter and By-Law Review Committee (CBRC) is covering the same topic.

Kathryn Coughlin, Select Board member, said the Select Board was waiting to get copies of actual motions from the CBRC. At the October 2, 2023, meeting, we agreed to recommend No Action to the Finance Committee but it's not necessarily because we're waiting to see what comes out of the CRBC.

~~ **END OF ARTICLE** ~~

ARTICLE 29
Eligibility of Finance Committee Members to Serve on Charter Commission
(Joshua Ostroff, et al.)

ARTICLE LANGUAGE

To see if the Town will vote to amend the Town of Natick Bylaws to permit Finance Committee members to serve on an elected Charter Commission, or otherwise act thereon.

PURPOSE OF THE ARTICLE

To amend the Bylaws to allow Finance Committee members to serve on a Charter Commission.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable Action
	QUANTUM OF VOTE:	8-2-0
	DATE VOTED:	September 7, 2023

MOTION (Requires a Majority Vote)

Move to insert the words “Charter Commission,” in the first sentences of Article 23, Sections 1.2 and 1.3 of the Town of Natick Bylaws, so that Sections 1.2 and 1.3 read in their entirety:

1.2 **Eligibility** - Persons holding an elective Town office, except **Charter Commission**, Town Meeting member or constable, and those serving on appointed committees or boards that have responsibility for issuing permits, approving expenditure of funds, or exercising final authority over any matter are not eligible to be Finance Committee members. Finance Committee members may serve on committees that advise decision-making Town agencies or Town Meeting. No Finance Committee member shall serve for more than a total of twelve (12) years.

1.3 **Removal or Resignation from Office** - Any member of the Finance Committee who files for any Town elective office except that of **Charter Commission**, Town Meeting member or constable shall cease to be a member of said Committee. Members may resign by sending a notice of resignation to the Finance Committee chairman, the Town Moderator, and the Town Clerk; and they shall resign when they are no longer eligible to be Finance Committee members.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Finance Committee met on September 7, 2023 to discuss Article 29.

Joshua Ostroff, sponsor, presented the Article. Mr. Ostroff explained that the article is fairly straightforward. He said the idea of a Charter Commission is to provide the voters with a committee to investigate our form of government. He said the commission should theoretically be open to participation from any member of the public. Right now, there is only one group of people in Natick that would be precluded from being on a commission and it is the fifteen members of the Finance Committee. Mr. Ostroff said while some other towns have this prohibition, many do not. He explained that the idea was to give everyone an opportunity to participate.

Questions from the Committee

A member asked what the justification was for not allowing Finance Committee members to serve on other boards and committees. Mr. Ostroff said he wasn't completely sure but he thought the idea was to separate the Finance Committee's legislative responsibilities from other boards and committees.

The same member asked whether the time commitment to serve on both boards would be too much. Mr. Ostroff said it was a major commitment with previous commissions being about two meetings per month.

The same member also asked if this actually could decrease public participation because it would potentially lead to the same person serving in two important positions. Mr. Ostroff agreed that this was a potential drawback but did note that the voters could make that decision for themselves.

Public Comment

Frank Foss, Town Moderator, stated that he saw nothing wrong with the form of the motion. However, he did note that the Finance Committee is unique in that it is only a legislative body. He also noted that it would be a major time commitment and that Finance Committee members don't necessarily make all their meetings as it is, so he questioned whether they would have time to serve on a Charter Commission.

Debate

One member expressed his view that people being on the Finance Committee is good experience that could help inform the work of a Charter Commission.

Another member added that this would put the Finance Committee on equal footing with other boards and committees in town. He suggested that there could be a compromise to allow people to run but then require them to step off if they get elected.

One member said that the decisions on this should ultimately be up to the voters. He also noted that the Moderator can consider dual service when deciding whether to re-appoint someone to the Finance Committee.

Another member explained that she was not going to support this because it would be a heavy lift to serve in both capacities. She said she is concerned about making a “one-off” exception to the general rule not allowing Finance Committee members to serve on other boards and committees.

One member said that it really depends on the person as far as the time commitment. She said that she was able to serve on the time intensive Government Study Committee while serving as Chair of the Finance Committee. She also noted that we have a unique perspective on the Finance Committee that could be very valuable on a commission.

Additional Information

Town Counsel was asked about the propriety of Finance Committee members voting on this article. This is her reply in an email to the Finance Committee chair on 9/5/2023:

“[T]he conflict of interest law primarily deals with financial conflicts, although there are some provisions which are about appearances of conflicts but the underlying conflict typically is financial in nature. That seems to also be reflected in the bylaw, where it references expenditures, permits, and final authority – none of which is within the purview of the FinCom.

In the instance of this Article, you would have to make a determination that being an elected Charter Commission member is a benefit to an individual or their role as a FinCom member is a benefit to running for Charter Commission. I do not see it as a conflict, since even if a FinCom member who is interested in running for Charter Commission, there is no guarantee the question will make the March ballot, no one knows for sure when they vote that they will be on the ballot, and no one know what Town Meeting will do with the warrant article. That all being said, if any FinCom member feels they cannot act objectively with respect to this question, then they may recuse themselves or abstain from voting.”

~~ END OF ARTICLE ~~

ARTICLE 30
Replace SATM 2023 Town Seal with 1876 Town Seal
(Jeffrey Alderson, et al.)

ARTICLE LANGUAGE

To see if the town will vote to replace the Town seal that was approved at the Spring Town Meeting 2023 and reinstate the original Town of Natick seal approved in 1876, or otherwise act thereon.

PURPOSE OF THE ARTICLE

To replace the Town Seal approved at the Spring Town Meeting 2023 and reinstate the original Town of Natick seal approved in 1876,

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Recommendation
	QUANTUM OF VOTE:	6-2-5
	DATE VOTED:	September 12, 2023

MOTION

None

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The sponsor, Jeffrey Alderson, stated up front that he would make the best case he could and would leave the decision to Town Meeting members, with no intention to bring any similar article back to future town meetings irrespective of the action that 2023 FATM may take.

Mr. Alderson noted that with the design proposed by this article, the Town of Natick was among the very early local governments to standardize a printed seal for official documents. The proponent cited two motivating factors behind bringing forward this article: legibility issues had been raised about the design adopted at 2023 Spring Annual Town Meeting; and the process did not include or allow for consideration of return to the original town seal design that pre-dated the one current immediately before 2023 SATM.

Mr. Alderson noted that the branding initiative that the town has undertaken may be seen as further validation of a viewpoint that the SATM 2023 action had a laudable intent – to retire a racially

problematic design – but that available alternatives to the problematic design and needed or desired uses were not reviewed or analyzed as comprehensively as some might prefer.

Mr. Alderson described the resulting adopted seal as unsatisfactory in the view of many. He noted that several comments in the survey conducted prior to the action at 2023 SATM indicated support for a return to the design that is proposed by this article and asserted that people were understandably reluctant to oppose the design put forth on the floor of 2023 SATM in the context of a debate framed as replacing a racist image.



Questions from the Committee

A member asked if the old stamp or embossers of the design proposed by this article are still available or if new dies or stamps would need to be made. Mr. Alderson said that new ones would be best since even if very old equipment still existed it would be worn and there might be minor improvement possible for legibility or conformity to current standards.

A member asked if there should be a regular review of the town seal. Mr. Alderson repeated his own intention not to engage in repeated proposals and noted that he could not speak for any other citizen who has rights to petition town meeting under the laws of the commonwealth and the town.

A member asked about why the matter was brought up now. Mr. Alderson replied that it was an opportunity to consider the topic separately from strong feelings raised by the opportunity to retire a design viewed as racist.

A member asked how this article's proposal did or did not relate to the branding initiative mentioned earlier. Mr. Alderson stated that this proposal is raised independent of the branding initiative. He noted that the branding process appears to be generating seal-like design options in scale, and both seal-like and less seal-like options in content but did not offer advice or preference regarding the outcome of that effort.

A motion was made to recommend positive action. It did not reach the vote quantum required for a recommendation from the Finance Committee.

Original Sponsor Motion (Requires a Majority Vote)

Move that the town vote to replace the Town seal that was approved at the Spring Town Meeting 2023 and reinstate the original Town of Natick seal approved in 1876, or otherwise act thereon.

~~ END OF ARTICLE ~~

ARTICLE 31
Safe & Fair Reproductive & Gender Affirming Care Access By-Law
(Cody Jacobs, et al.)

ARTICLE LANGUAGE

To see if the Town will vote to adopt by-laws protecting access to reproductive care and/or gender affirming care in Natick and/or ensuring transparent access to information about the availability of these services; or otherwise act thereon.

PURPOSE OF THE ARTICLE

To enact a “shield” law in Natick that would prohibit the town from sharing information or using town resources to help out-of-state actors attempt to criminally sanction or impose civil liability on someone for exercising their rights under Massachusetts law to receive reproductive or gender affirming healthcare services here or helping someone receive those services.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	No Recommendation
	QUANTUM OF VOTE:	Favorable Action: 7-3-0
	DATE VOTED:	September 21, 2023

MOTION

None

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenting: Cody Jacobs (Finance Committee member, recused from Article 31), Claudia Trevor-Wright (Natick Resident, Precinct 6)

The presenters explained the genesis and need for the changes called for in this article. Specifically, the legal and social pressures exerted or potentially imposed on local town government and town employees by out-of-state interests seeking to reach into Massachusetts communities to gather private/sensitive information to assist in prosecution of individuals in non-Massachusetts jurisdictions. The current concerns center on reproductive choice rights and rights to gender affirming care and counseling.

Following the SCOTUS overturning *Rowe v Wade*, Massachusetts Governor Baker issued an Executive Order designed to protect access to gender affirming care and reproductive care within Massachusetts. Among the provisions of that order were protections against “hostile jurisdictions that are attempting to

criminalize people for seeking these forms of health care.” The Legislature later codified these protections into MGL 147 Sec 63. These protections forbid state employees and any police officer from cooperating with attempts by states and private individuals to to enforce these non-Massachusetts laws against people seeking this kind of care in Massachusetts.

Article 31 seeks to extend these prohibitions against information disclosure to Natick employees and contractors acting within employment of the town. The article proposes a local bylaw which would close the existing gap between the state-level scope and local authority by prohibiting municipal employees from sharing information with, or using town resources to assist these out-of-state actors seeking to punish people criminally and civilly for trying to obtain health care that is legally protected in Massachusetts.

The presenters gave examples of the types of information out-of-state actors have sought in their attempts: travel and housing information, meeting/appointment info, information requests and queries, data from personal health tracking applications, etc. Additionally, “19 States Attorneys General wrote to HHS and indicated that they are actively pursuing ways and investigating ways to impose civil and criminal liability on people who traveled to states where this health care is protected, and to pursue that criminal and civil liability against them in those other states.”

The Finance Committee Chair noted a Town Counsel opinion letter on the subject of Article 31. That opinion (included below). described potential flaws with the proposed change, including: preemption by state law, complication of Town-Contractor interaction, and potential interference with police operations that could also raise pre-emption issues.

Discussions with the Town Administrator also touched on those concerns. The proponents highlighted the fact that they received Town Counsel’s opinion only hours earlier and hadn’t had a chance to form a response – but disagree on several points. The proponents feel that the State administration may be more favorable to additional local level protections than Town Counsel believes, especially since the current AG has expressed support for the matter.

Questions from the Finance Committee

Two members asked questions revolving around Parental Rights, and how Article 31 would impact town employees turning over information on Natick students to Natick parents. The concern seemed centered on how Natick parents might be blocked from being informed that their child was “using different pronouns” or otherwise acting in a concerning manner. The Article proponents explained that such a situation wouldn’t involve a non-Massachusetts entity seeking information, so didn’t seem applicable. The members stressed the potential for unintended consequences, and the lack of 100% assurances that such concerns are impossible.

A member asked about enforcement. The Town Administrator had asked a similar question. Mr. Jacobs explained that the proposed change did not include any specific enforcement provisions – and that it

would fall to Town Administration to apply existing policy regarding town employees and contractors complying with local regulations.

A member asked about interaction with existing privacy laws, such as HIPAA. The proponents explained that the proposal was consistent with HIPAA, and would extend additional proactive protections.

A member asked if this change would highlight the issue, leading to greater awareness of the existing state level protections – and whether that would be sufficient to accomplish the goals. The proponents agreed that would be a positive outcome and might result in needed training on the issues – but that it would not be a substitute for proactive extension of the protections to the local level.

A member asked about where this type of care was taking place, and if it is actually an issue of importance within Natick. The proponents listed several nearby facilities providing such care and explained that tele-medicine (both provider and patient) within Natick would also be protected.

A member asked additional questions regarding Town Counsel's assertion that jurisdictions enacting similar local regulations have all been cities - which have a different level of state review of local ordinances. The proponent noted that Brookline is a town and has recently adopted similar regulation. The proponents indicated that they were actively seeking out info from/about Brookline – and could provide supplemental information to the Finance Committee for its consideration.

Comments from members of the public

Kristin Strezo – At Large City Council member, Somerville. Ms. Strezo spoke in favor of the proposal and support for proactively strengthening local privacy protections.

Jacquelyn Fowler Morton – Natick resident and trained professional doula. The speaker explained that both her personal and professional experience strongly supported the position that reproduction choice and care is of critical importance, and that the needs of proactive privacy protections can not be underestimated.

The vote to recommend Favorable Action was 7-3-0 which is not sufficient to provide a recommendation (8 votes are required).

ORIGINAL SPONSOR MOTION (Requires a Majority Vote)

Move that the town adopt the following by-law as Article 31 of the Natick town by-laws:

Article 31: Safe access to legally protected reproductive and gender-affirming health care services.

Section 1: Definitions

“Abusive litigation” means litigation or other action to deter, prevent, sanction or punish any person engaging in legally-protected health care activity that is: (i) filed or prosecuted in any state other than the commonwealth where liability, in whole or part, directly or indirectly, is based on legally-protected health care activity that occurred in the commonwealth, including any action in which liability is based on any theory of vicarious, joint or several liability derived therefrom; or (ii) an attempt to enforce any order or judgment issued in connection with any such action by any party to the action or any person acting on behalf of a party to the action; provided, however, that a lawsuit shall be considered to be based on conduct that occurred in the commonwealth if any part of any act or omission involved in the course of conduct that forms the basis for liability in the lawsuit occurs or is initiated in the commonwealth, whether or not such act or omission is alleged or included in any pleading or other filing in the lawsuit

“Town agent” means any employee of the town of Natick, whether full time or part time, regular or seasonal, any intern or volunteer when acting on behalf of the Town of Natick, any contractor for the Town of Natick while a contract between the Town of Natick and said contractor is in effect, and any recipient of Town funding, grants, awards, or appropriations.

“Gender-affirming health care services” means all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to the treatment of gender dysphoria.

“Legally-protected health care activity” means (i) the exercise and enjoyment, or attempted exercise and enjoyment, by any person of rights to reproductive health care services or gender affirming health care services secured by the constitution or laws of the commonwealth; or (ii) any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive health care services or gender-affirming health care services secured by the constitution or laws of the commonwealth, or to provide insurance coverage for such services; provided, however, that the provision of such a health care service by a person duly licensed under the laws of the commonwealth and physically present in the commonwealth, and the provision of insurance coverage for such services, shall be legally protected if the service is permitted under the laws of the commonwealth, regardless of the patient’s location.

“Reproductive health care services” mean, all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive

nature relating to pregnancy, contraception, assisted reproduction, miscarriage management or the termination of a pregnancy.

Section 2: Safe Access

A. Consistent with G.L. Ch. 4 § 7(26)(c), personnel and medical files or information and any other materials or data related to the provision of reproductive health care services or gender-affirming health care services for any person, including individuals who are not residents of the Town of Natick or the Commonwealth of Massachusetts, held by any town agent in their capacity as a town agent shall be kept confidential and shall not be disclosed in response to a public records request.

B. Acting in their capacity as a town agent, no town agent may furnish information, assistance, or aid to any person or jurisdiction when such information, assistance, or aid is knowingly intended for use in abusive litigation as defined in this article, except as so ordered by a court in the Commonwealth. Additionally, no town resources, materials, or funds shall be so used.

C. Acting in their capacity as a town agent, no town agent may furnish information, assistance, or aid to any person or jurisdiction when such information, assistance, or aid is knowingly intended for the purposes of prohibiting, criminalizing, sanctioning, authorizing a person to bring a civil action against, or otherwise interfering with a person, entity or carrier that seeks, receives, causes, aids in access to, aids or abets or provides, or attempts or intends to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities. Additionally, no town resources, materials, or funds shall be so used.

D. Pursuant to G.L. Ch. 147, § 63 no person, regardless of residency or citizenship status, shall be held in custody by the Natick Police Department for seeking, receiving, causing, aiding in access to, aiding or abetting or providing, or attempting or intending to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

E. Pursuant to G.L. Ch. 147, § 63, any person held in custody by the Natick Police Department shall not be remanded, transferred, or extradited to another jurisdiction for having sought, received, caused, aided in accessing, aided or abetted or provided, or attempted or intended to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in

connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

Section 3: Severability

The sections, paragraphs, sentences, clauses, and phrases of this article are severable, and if any phrase, clause, sentence, paragraph, or section of this article shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this article.

~~ END OF MOTION ~~

Karis L. North
knorth@mhtl.com

September 21, 2023

VIA EMAIL ONLY

Linda Wollschlager, Chair Finance Committee
Natick Town Hall
13 E. Central Street
Natick, MA 01789

RE: Natick 2023 Fall Annual Town Meeting – Warrant Article 31

Dear Ms. Wollschlager:

Upon your request, I have reviewed Article 31 2023 Fall Annual Town Meeting. In reviewing these articles and accompanying motion and materials, I have relied upon the Natick Home Rule Charter (“Charter”), the Natick Town Bylaws (“Bylaws”) the Massachusetts General Laws (“General Laws”), and other legal sources.

Article 31: Safe & Fair Reproductive & Gender Affirming Care Access By-Law

The proposed motion is as follows:

Move that the town adopt the following by-law as Article 31 of the Natick town by-laws:

Article 31: Safe access to legally protected reproductive and gender-affirming health care services.

Section 1: Definitions

“Abusive litigation” means litigation or other action to deter, prevent, sanction or punish any person engaging in legally-protected health care activity that is: (i) filed or prosecuted in any state other than the commonwealth where liability, in whole or part, directly or indirectly, is based on legally-protected health care activity that occurred in the commonwealth, including any action in which liability is based on any theory of vicarious, joint or several liability derived therefrom; or (ii) an attempt to enforce any order or judgment issued in connection with any such action by any party to the action or any person acting on behalf of a party to the action; provided, however, that a lawsuit shall be considered to be based on conduct that occurred in the commonwealth if any part of any act or omission involved in the course of conduct that forms the basis for liability in the lawsuit occurs or is initiated in the commonwealth, whether or not such act or omission is alleged or included in any pleading or other filing in the lawsuit

“Town agent” means any employee of the town of Natick, whether full time or part time, regular or seasonal, any intern or volunteer when acting on behalf of the Town of Natick, any contractor for the Town of Natick while a contract between the Town of Natick and said contractor is in effect, and any recipient of Town funding, grants, awards, or appropriations.

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“Gender-affirming health care services” means all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to the treatment of gender dysphoria.

“Legally-protected health care activity” means (i) the exercise and enjoyment, or attempted exercise and enjoyment, by any person of rights to reproductive health care services or gender affirming health care services secured by the constitution or laws of the commonwealth; or (ii) any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive health care services or gender-affirming health care services secured by the constitution or laws of the commonwealth, or to provide insurance coverage for such services; provided, however, that the provision of such a health care service by a person duly licensed under the laws of the commonwealth and physically present in the commonwealth, and the provision of insurance coverage for such services, shall be legally protected if the service is permitted under the laws of the commonwealth, regardless of the patient’s location.

“Reproductive health care services” mean, all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction, miscarriage management or the termination of a pregnancy.

Section 2: Safe Access

A. Consistent with G.L. Ch. 4 § 7(26)(c), personnel and medical files or information and any other materials or data related to the provision of reproductive health care services or gender-affirming health care services for any person, including individuals who are not residents of the Town of Natick or the Commonwealth of Massachusetts, held by any town agent in their capacity as a town agent shall be kept confidential and shall not be disclosed in response to a public records request.

B. Acting in their capacity as a town agent, no town agent may furnish information, assistance, or aid to any person or jurisdiction when such information, assistance, or aid is knowingly intended for use in abusive litigation as defined in this article, except as so ordered by a court in the Commonwealth. Additionally, no town resources, materials, or funds shall be so used.

C. Acting in their capacity as a town agent, no town agent may furnish information, assistance, or aid to any person or jurisdiction when such information, assistance, or aid is knowingly intended for the purposes of prohibiting, criminalizing, sanctioning, authorizing a person to bring a civil action against, or otherwise interfering with a person, entity or carrier that seeks, receives, causes, aids in access to, aids or abets or provides, or attempts or intends to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities. Additionally, no town resources, materials, or funds shall be so used.

D. Pursuant to G.L. Ch. 147, § 63 no person, regardless of residency or citizenship status, shall be held in custody by the Natick Police Department for seeking, receiving, causing, aiding in access to, aiding or abetting or providing, or attempting or intending to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not

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apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

E. Pursuant to G.L. Ch. 147, § 63, any person held in custody by the Natick Police Department shall not be remanded, transferred, or extradited to another jurisdiction for having sought, received, caused, aided in accessing, aided or abetted or provided, or attempted or intended to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

Section 3: Severability

The sections, paragraphs, sentences, clauses, and phrases of this article are severable, and if any phrase, clause, sentence, paragraph, or section of this article shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this article.

As an initial matter, the General Court passed Chapter 127 of the Acts of 2022 which provides and protects access to reproductive and gender affirming care. The law uses the same definitions as the proposed bylaw, except the proposed bylaw includes a new definition, for “Town Agent.”

The proposed definition of “Town Agent” includes the following: “any contractor for the Town of Natick while a contract between the Town of Natick and said contractor is in effect, and any recipient of Town funding, grants, awards, or appropriations.” Section 2.B and 2.C of the proposed bylaw then purports to restrict communications between the Town Agent and others. I am concerned that application of a Natick Town Bylaw to contractors outside of Natick is not enforceable, and will impact the ability of the Town to contract for services. In addition, I am concerned that the provision is not enforceable against any contractor, to the extent that enforcement would require the contractor share information with the Town which is protected by HIPAA or other privacy laws.

The law includes the following provision:

Section 11I¾. Notwithstanding any general or special law or common law conflict of law rule to the contrary, the laws of the commonwealth shall govern in any case or controversy heard in

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the commonwealth related to reproductive health care services or gender-affirming health care services, as those terms are defined in section 11I½, except as may be required by federal law.

It is my opinion that this provision preempts local laws which attempt to provide the same or similar protections as the state law. I note that I am unaware of any towns within the Commonwealth which have adopted similar laws; only a few cities have done so. City ordinances are not subject to review by the Attorney General, as a Town of Natick bylaw is. If this bylaw is preempted by state law, then it would not be able to be approved by the Attorney General.

Section 2.A. of the proposed bylaw states:

Consistent with G.L. Ch. 4 § 7(26)(c), personnel and medical files or information and any other materials or data related to the provision of reproductive health care services or gender-affirming health care services for any person, including individuals who are not residents of the Town of Natick or the Commonwealth of Massachusetts, held by any town agent in their capacity as a town agent shall be kept confidential and shall not be disclosed in response to a public records request.

The ability to determine which records are public, and which are exceptions to that rule rests with the Supervisor of Public Records, not a municipality. The Attorney General has opined on local bylaws which purport to make certain records confidential and has stated:

. . .[W] remind the town that the disclosure of public records is governed by G.L. c. 66, § 10 (the Public Records Law), which declares all government records to be subject to disclosure unless specifically exempted. The legislative intent of the Public Records Law is to provide broad public access to government documents subject only to the limited exceptions found in G.L. c. 4, § 7 (26). Hull Municipal Lighting Plant v. Massachusetts Municipal Wholesale Electric Co., 414 Mass. 609, 614 (1993). Moreover, the authority to determine the public records status of information held by municipalities is vested in the Supervisor of Public Records. G.L. c. 66 § 10 (b). Although the text of Section 9 (1) provides that “[e]xcept as otherwise required by law” the requirement of confidentiality may not affect the status of such information under the Public Records Law and does not exempt such information from disclosure.

Decision of the Attorney General, Case No. 6492 (April 30, 2013). Given this decision, it is my opinion that the Attorney General would find similarly on the language in Section 2.A, and the section would not be effective or enforceable.

Finally, with respect to sections 2D and 2E, the provisions may be construed as interfering with the operations of the Natick Police Department, and its ability to enforce state and local laws. While the provisions do not create new criminal penalties, which would be beyond the authority of a municipality,¹ these provisions are not consistent with the state’s preemption of criminal prosecution, and the deference and discretion awarded to local police departments and district attorneys offices in making decisions concerning prosecution of crimes.

¹ See G.L. c. 40, § 21 and the Home Rule Amendment, Article LXXXIX, Art. 2, Sec. 7.

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In summary, I find that this bylaw is likely to be preempted by state law, on a variety of grounds. In my opinion, the potential, but limited methods whereby Natick could take an official position on the provision of reproductive and gender affirming case could be to amend the Personnel Bylaw with a policy statement concerning reproductive and gender affirming case, and such statement should be limited to affirming the protections provided under Chapter 127 of the Acts of 2022. Such an action would not be within the scope of this Article, however.

I hope this opinion is useful. Please contact me with any questions or concerns.

Sincerely,

Karis L. North /s/

Karis L. North

cc: Jamie Errickson, Town Administrator

Natick Town Finance Committee
13 E Central Street
Natick, MA 01760

Dear Members of the Finance Committee:

We were invited to submit a response to the Town Counsel's September 21, 2023 letter regarding Article 31.

Natick would not be the first municipality in Massachusetts to pass a substantially similar local law. We did not create the language in this motion from whole cloth. It is the result of careful work by government officials and advocates across the state over the last year and a half and substantially similar language has already been adopted in at least Salem, Somerville, and Brookline.¹ In each of these municipalities, these laws were vetted by their town counsel or city law department and they reached a different conclusion from those reached in the Town Counsel's letter. We actually spoke to an attorney in Somerville's law office as part of the process and he did not think these provisions were preempted by state law. And, it's worth noting that state officials have been supportive of local efforts on this--our Lieutenant Governor actually signed one of the first of these laws when she was mayor of Salem.

To further reinforce this point, on the Finance Committee's website included with the materials associated with Article 31, you can find a letter from Reproductive Equity Now, a Massachusetts based non-profit made up of experts—including legal experts—on reproductive rights issues. Reproductive Equity Now has worked with state and local officials to champion these kinds of efforts across the Commonwealth. As you can see from the letter, they disagree with Town Counsel's conclusion regarding preemption.

Putting all that aside, the decision of whether this proposed by-law is preempted is ultimately not up to us. As Town Counsel's letter acknowledges, all town by-laws must be reviewed and approved by the Attorney General's office before they can go into effect. The same thing would happen with this by-law. Therefore, the legal merits of the Town Counsel's opinion or the contrary opinions of the other municipal law offices that have reviewed this is beside the point. Town Meeting should judge this proposal on its substantive merits and let the Attorney General fulfill her statutory role as the arbiter of whether this by-law is preempted should Town Meeting choose to adopt it.

Thank you,

Cody Jacobs & Claudia Trevor-Wright

¹ Brookline passed a by-law at its Spring Annual Town Meeting and the by-law is currently awaiting review by the Attorney General.

~~ END OF ARTICLE ~~

ARTICLE 32
Paid Family Medical Leave for Town of Natick Employees
(Kat Monahan, et al.)

ARTICLE LANGUAGE

Move that pursuant to M.G.L.c 4 §4 and M.G.L.c 175m §10, the Town accept the following Massachusetts General Laws pertaining to Paid Family Medical Leave:

M.G.L.c 175M

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXII/Chapter175M>

PURPOSE OF THE ARTICLE

To take advantage of the local option provision of Massachusetts General Laws so that Town of Natick employees may participate in the commonwealth's paid family medical leave program (PFML).

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Referral to Sponsor, Town Administrator, Select Board and School Committee
	QUANTUM OF VOTE:	8-1-0
	DATE VOTED:	September 7, 2023

MOTION (Requires a Majority Vote)

Move to refer the subject matter of Article 32 to the Sponsor, Town Administrator, Select Board and School Committee.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Kat Monahan, Sponsor of the article. *(Note: Ms. Monahan is also a member of the Finance Committee and recused herself from voting on this article.)*

Ms. Monahan explained that this citizen petition article is to make a local adoption of the Massachusetts General law that was passed in 2018 known as the Paid Family Medical Leave (PFML) program. The law allowed private employers as well as the executive department for the State to withhold employee

contributions to a PFML fund, and also make employer contributions to the fund based on the rates set by the state. The goal of this petition is to update our charter to accept that law, which exempted municipal employers unless there was a local adoption. If this passes, and once the charter is updated, the town would start implementing the withholding, so town municipal employees can be part of the program. Right now, employees are entitled to FMLA which is up to 12 weeks of unpaid time off per year.

Questions from the Committee

A member asked if the sponsor talked to employees in the town to see if they wanted this. The sponsor said she did and heard people say they wish this was in place when they had their baby a year later. However, she did not send out a survey.

A member asked about the current benefits available to employees. The sponsor said when they met with Town Administration, there were programs that were entirely employee-funded like buying into short term disability, but not anything that is paid for by the town.

A member asked if any other towns have adopted this. The sponsor shared no, the PFML law was written and passed in 2018. No municipality has yet adopted it locally, so we would be the first.

A member asked about the cost estimated. The sponsor said the estimate from the Town Administrator was around \$300,000 per year. Further clarification was asked about the cost to the employees. The sponsor said employee costs would be a maximum of a certain percent of their wages. The 2023 contribution rate is 0.63% of an employee's earnings. That number has actually decreased since the program was introduced, but the fund is working and growing, but can alter over time.

A member asked about the impact of this to the 15 town unions and if this would have to be negotiated with all of them, and if so, could the payroll rates be different per union. The sponsor shared that yes, the unions would need to be involved but that it would be hard to negotiate something with the unions that we as a town haven't legally decided to do yet.

A member commented how at this time, they don't believe we have any payroll deductions that vary by union so the concern is that some unions might decide this is a benefit they are willing to do, take the payroll deduction and others may say you're taking money from us and will want to see some compensation for it. It depends on how each union sees the offering.

A member asked if they talked to the school union leadership given they have the most covered town employees, to see if this is something they may be interested in. The sponsor said they did not hear back from the school Benefits Administrator but that this program would be most beneficial to the non-union employees because they are the ones with the most gaps in their pay leave options.

A member asked to clarify if the administration effort on this is still somewhat unknown - that it's unclear what it would take to implement on the town side. For example, did the sponsor verify that in Munis, there was a way to distinguish this. The sponsor shared that they weren't aware of how this would be implemented in Munis.

A member asked about the timeline and if this passes at Town Meeting, when it would be in effect. The sponsor shared that they estimate July for implementation but the process is longer than just a Town Meeting vote. After Town Meeting, a form has to be submitted to the state. They shared that part of that notice of election probably includes a start date for withholding. The member asked when the \$300,000 would then be due, which the sponsor said as soon as the paperwork is filed. It would be unlikely for any of this to start before the next fiscal year.

A member asked if it was possible to implement this but carve out exemptions for certain types of employees like non-union employees vs union employees. The sponsor said that the way Massachusetts General Law is written, that would not be possible. As an employer, you are required to contribute and withhold from your employees.

A member commented on Town Counsel's letter that said that even if Town Meeting accepts the statute, and the town complies with the regulations, and has an approved plan and plan administrator, it is unlikely that the benefit can be imposed on employees subject to collective bargaining agreements without some kind of bargaining. That seems to imply that it is not in place with any of the union employees until collective bargaining is done.

A member of the public spoke and commented that in their experience, if town meeting voted on this, and it is implemented in July, it would be imprudent to assume that the Select Board could simply begin bargaining with each of the representatives of the 15 different unions. To implement, there would be a list of demands and they never take 2 - 3 months - it's a long process. They also commented on how they think this is a great idea, however they are concerned that no other town has accepted it, and wonder if that says it is a bit more complicated than just adopting and implementing it.

Another member of the public asked about who is eligible for the program. The sponsor shared that you do not need to be a biological parent to take leave if you had or adopted a baby, but that this would be for town of Natick employees. If a spouse was a town employee, they would be eligible. But if a town employee's spouse wanted to take leave, they would have to do it through their employer.

Debate

A member commented that this is something they would support however thinks we need to first understand the current offering to employees and what the gaps are. It was unclear if this would be a

drastic improvement for employees, or how it would impact union arrangements. The committee would benefit from more research like if the schools already have a more generous policy.

Another member commented on how the state, in creating this program, didn't exempt based on collective bargaining and that has been a very difficult issue for some private, highly unionized, large organizations. Having been involved in the school committee negotiations for several years, the member knows what the town adopting something like this does to the negotiating position of the town, before any impact bargaining or renewal bargaining even starts. It basically pulls the rug out of the town's negotiators in many ways. If adopting this law is the best way, the member would prefer to see this made in the form of a resolution for the responsible negotiating bodies to pursue in their next round of negotiations.

Another member commented that they would like to see this explored further, and maybe even adopted by several of the unions, and then it is revisited for the whole town. The member shared that they know this is a benefit to the employees but at this time, wanted to see more research.

A member shared that they would love to support this but for now, wants to see more time spent working with town stakeholders, laying out the plan, researching it properly, creating a timeline for proposed implementation with the union sector, and another timeline for implementation for employees not in the unions, etc. That information would move us forward, instead of us voting favorable action and then not having some of these big ticket items sorted out.

A member said they are absolutely in favor of this in terms of at some point implementing, but for now more homework needs to be done like what happens after we adopt this. Do we have to pay for everyone? Do we only pay for non-union employees? How does it all work? And given that this is the first time a municipality would adopt it, there may be other issues at the state level. If there was an option to have this only apply to our non-union employees they'd be voting for it now, but there is enough murkiness around how it would apply to unions and how negotiations would work, that they can't support positive motion at this time.

Original Sponsor Motion (Requires a Majority Vote)

Move that, pursuant to Massachusetts [General Law - Part I, Title I, Chapter 4, Section 4](#) and Massachusetts [General Law - Part I, Title XXII, Chapter 175M, Section 10](#), the Town vote to accept the following Massachusetts General Laws pertaining to Paid Family Medical Leave:

M.G.L. [Chapter 175M](#)

Karis L. North
knorth@mhtl.com

September 6, 2023

VIA EMAIL ONLY

Linda Wollschlager, Chair Finance Committee
Natick Town Hall
13 E. Central Street
Natick, MA 01789

RE: Natick 2023 Fall Annual Town Meeting – Warrant Articles 32 and 33

Dear Ms. Wollschlager:

Upon your request, I have reviewed the Motions for Articles 32 and 33 for the 2023 Fall Annual Town Meeting. I address each Article separately, below. In reviewing these articles and accompanying motions, I have relied upon the Natick Home Rule Charter (“Charter”), the Natick Town Bylaws (“Bylaws”) the Massachusetts General Laws (“General Laws”), and other legal sources.

1. Article 32: Paid Family Medical Leave for Town of Natick Employees

The proposed motion is as follows:

Move that pursuant to Massachusetts General Law - Part I, Title I, Chapter 4, Section 4 and Massachusetts General Law - Part I, Title XXII, Chapter 175M, Section 10, the Town accept the following Massachusetts General Laws pertaining to Paid Family Medical Leave:

M.G.L. Chapter 175M

With respect to legal issues concerning Article 32, Paid Family Medical Leave (PFML) is specifically exempted from application to municipalities, unless the municipality itself chooses to accept the statute. That process is consistent with the motion provided by the sponsor, and acceptance of a local option statute under M.G.L. c. 4, section 4, simply requires a majority vote to accept the statute, in this instance, M.G.L. chapter 175M.

Once accepted, the Town is required to purchase a PFML policy, either from the Commonwealth, or from a private entity. Purchase from a private entity requires approval from the Commonwealth Department of Family and Medical Leave. There are detailed regulations concerning PFML at 458 CMR 2, which the Town would have to comply with, and the Town will likely need to either employ or contract with an administrator of this benefit.

Finally, it is important to note that even if Town Meeting accepts the statute, and the Town complies with the regulations and has an approved plan and plan administrator, it is unlikely that the benefit can be imposed on employees subject to collective bargaining agreements without some kind of bargaining. At this point in time,

Linda Wollschlager
September 6, 2023
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I decline to discuss or opine on the details of any such bargaining or the scope of the Town's obligation, as that is potentially a subject for future bargaining and bargaining strategy.

2. Article 33: Ensuring Stability: A Proposal for Fixed Annual Real Estate Tax for Long-Term Homeowner

The proposed motion is as follows:

Be it resolved that homeowners who have been residents of the Town of Natick for twenty-five years, have consistently paid their real estate taxes, and continue to live in the same residence, shall have their real estate tax amount fixed at the rate of the twenty-fifth year for as long as they remain in the home as their primary residence.

As an initial matter, this motion is styled as a "resolution." Under Article 39 of the 2021 Fall Annual Town meeting, Article 3 of the Natick Town Bylaws was revised by adding a new section 12 concerning resolutions. Pursuant to Article 3, section 12, at Natick Town meeting, resolutions are either "complimentary," as provided in Town Meeting Time, or may be non-binding and submitted as a warrant article. As a result, I suggest that at the most, this article be considered as a non-binding resolution. This motion could not be more than a non-binding resolution, as it does not direct anyone in the Town to take any particular action, nor does it seek to amend the Bylaws, or the Charter, and as such has no method to implement and/or enforce its language.

Finally, it is my preliminary opinion that the action contemplated in the motion conflicts with state law concerning the provision of property tax abatements to residents, and with federal law under the Equal Protection doctrines, and potentially the Privileges and Immunities clause. Subject to further discussion with the Municipal Law Group of the Attorney General's Office, I do not believe a bylaw or charter provision creating a program consistent with the motion could be approved. In my opinion, the only possible way to effectuate such a program, if it could even be created, would be through a special act.

I hope this opinion is useful. Please contact me with any questions or concerns.

Sincerely,

Karis L. North /s/

Karis L. North

cc: Jamie Errickson, Town Administrator

~~ END OF ARTICLE ~~

ARTICLE 33
Ensuring Stability: A Proposal for Fixed Annual Real Estate Tax for
Long-Term Homeowners
(Roger G. Scott, et al.)

ARTICLE LANGUAGE

To see if the Town will vote to authorize: Homeowners who have been residents of the Town of Natick for twenty-five years, have consistently paid their real estate taxes, and continue to live in the same residence, have their real estate tax amount fixed at the rate of the twenty-fifth year for as long as they remain in the home as their primary residence or take any other action with respect thereto.

PURPOSE OF THE ARTICLE

To give long-term homeowners in Natick the ability to stay in their home by fixing their real estate tax amount at the rate of the twenty-fifth year.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Indefinite Postponement
	QUANTUM OF VOTE:	9-0-0
	DATE VOTED:	September 7, 2023

MOTION (Requires a Majority Vote)

Move Indefinite Postponement on the subject matter of Article 33.

FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Presenter: Roger Scott, Sponsor of the article

The sponsor began by stating this article is a proposal for a fixed annual real estate tax for long-term homeowners who have been residents of the Town of Natick for 25 years, that have consistently paid their real estate taxes and continued to live in the same residence. Their estate taxes would be fixed at the rate of the 25th year for as long as they remain in their home as their primary residence.

The sponsor shared that they created this article because during these high inflationary times, it is important that retirees, unemployed residents and disabled residents and those who have fallen upon

hard times could project if they can or cannot stay in their home. This article creates an opportunity to help address one aspect of the real estate tax.

QUESTIONS FROM THE COMMITTEE

A member asked if they anticipate this being means tested. The sponsor did not reply directly to the question, so the member stated that it doesn't sound like it would be.

A member asked how this would work. If passed, do we go back to our 25th year rate in our homes, for those who have been in homes that long? The sponsor said that the starting point would be this passing and then there would be a fixed rate.

A member asked if that rate would ever change, for example, if there were major improvements to the property. For example, sometime after your 25th year, you put in \$300,000 worth of improvements. Would the town tax any of that? The sponsor said given that you did something to your house that would be a separate appropriation.

A member asked about how this program would shift the tax burden from one group to another and that we already have some programs the town offers to support residents. Can't what you are trying to accomplish be accomplished with the existing program within the assessor's office? The sponsor said no, that they are looking to do bigger things here.

A member asked that if this should pass, and in the 28th year, the tax rate decreases. Are those people stuck with their 25th year rate? The sponsor shared that there is not going to be any less demand for services and that the town bill could keep going up.

A member asked if this excluded homes held in a trust. The sponsor stated this would be if the same person lived there and that they are trying to protect the loyal people who love Natick.

A member clarified that this is entirely separate from the decision of what the tax ratio is and whether to split the tax rate or have a single rate. The sponsor said yes. This article would just be locking in a fixed tax rate.

A member clarified if the goal of this is to lock in a fixed tax rate or a fixed tax amount. The sponsor clarified that it would be an amount.

A member commented if the sponsor would prefer, given Town Counsel's letter (*see Article 32*), that the motion be submitted in the form of a resolution. The sponsor said that they know it's going to get voted down but they wanted people to discuss it. To bring this up before Town Meeting and have 180 people and constituents to weigh the merit.

A member asked what the sponsor's goal was, as they mentioned protecting and rewarding loyalty, but that there were also comments around protecting retirees, unemployed and disabled and those aren't the same. The way they understand this motion is that a millionaire who has been here for 25 years gets a fixed tax, but you could have someone unemployed with minimal income, who has been here for five years not benefitting from any program. So trying to understand if the goal is to reward a long term resident or trying to actually do something for those who have the largest hardship? The sponsor shared that this is for anyone who has fallen on hard times. Let's say in the 23rd year, someone gets disabled or has an accident and they don't have the ability to work, taxes are a variable you can control. A millionaire will probably be paying other taxes.

A member confirmed that Legal Counsel's guidance was that this violated federal and state law, and the member commented if it passed it would also be discriminatory.

A member asked about whether the sponsor knew the percentage of Natick homeowners that would be affected by this, who have been living in the same house for 25 years+. The sponsor said that would be up to the town to determine given they have the tax records.

The member further added that based on the census data, native residents aged 60+ make up a quarter of the town. So assuming 60% of that meets the criteria of 25 years in a home, we'd have 15% of the population get to lock in their rate forever. The member asked how much the sponsor expects that we would have to raise the rest of the town's rate to keep the same level of services, in the next 5 - 10 years.

A member of the public mentioned that Town Counsel provided an opinion saying that this was in effect a non-binding resolution that would not, whether passed unanimously or not, would not make a difference.

A member of the public clarified that any article can be heard at Town Meeting, whether it is legal or not. The town is obligated to act on every article that is on the warrant and once placed on the warrant, it does permit someone to make comments. The member then asked if the sponsor's intent is to fix a tax rate or a tax amount. The chair clarified that the motion says fixed tax amount.

DEBATE

A member commented that the sponsor made a reference to this not going anywhere and being voted down so I want to be mindful of Town Meeting time. We often talk about needing to be more efficient and I think if we propose any other type of motion than indefinite postponement we are going to spend hours in debate as we've already done tonight. The member commented that it's great to have civic engagement in our democratic process, but we want our content to be fruitful. If there are suggestions the sponsor wants to make to the current tax program Natick offers for individuals to work off a portion of their taxes, then I recommend and encourage the sponsor go that route.

Another member said they support indefinite postponement and wanted the Sponsor to know that there was a Senior Tax Exempt Study Committee in 2019, of which they were on, where they looked into this issue and the need in Natick. They looked at the poverty rate, how many people took the circuit breaker tax and tried to figure out what it would cost the town to do something like this. They couldn't come up with a number to quantify it. But there are programs in town and we should promote those more where you can defer your taxes at a really low rate, allowing seniors to stay in their houses if they meet certain income requirements. So there are ways to do this. We didn't want to put the burden on the younger families in town by not having seniors use that first. Ultimately we didn't see the need in Natick and couldn't quantify it.

A member said our assessor's office does a wonderful job of making sure that we have the programs in place that the state allows to the maximum extent, and while they have a lot of sympathy for this, having lived in other states with other programs, Massachusetts does not have as many. That said, we are not the forum for this. We like the concept of somehow protecting seniors more but our town can't do anything about it, it must be done at the state level, which is why they will also support indefinite postponement, even though there is some merit in potentially other programs. Means testing is really important. We shouldn't be giving tax breaks to people that have a lot of money. This is an item for the state and not Town Meeting.

See Article 32 for Town Counsel's opinion on Article 33.

Original Sponsor Motion (Requires a Majority Vote)

Be it resolved that homeowners who have been residents of the Town of Natick for twenty-five years, have consistently paid their real estate taxes, and continue to live in the same residence, shall have their real estate tax amount fixed at the rate of the twenty-fifth year for as long as they remain in the home as their primary residence.

~~ END OF ARTICLE ~~

APPENDIX

**WARRANT
FALL ANNUAL TOWN MEETING
OCTOBER 17, 2023**

THE COMMONWEALTH OF THE MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County:
Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet on **Tuesday evening October 17, 2023, at 7:30 PM**, Natick High School, Natick, MA, then and there to act on the following Articles:

Article 1	Committee Article
Article 2	2024 Omnibus Budget
Article 3	Rescind Authorized, Unissued Debt
Article 4	Unpaid Bills
Article 5	Stabilization Funds
Article 6	PEG Access and Cable Related Fund
Article 7	Capital Equipment and Improvement
Article 8	Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule
Article 9	Appropriation of Opioid settlement moneys
Article 10	Establish and Authorize Revolving Funds
Article 11	Personnel Board Classification and Pay Plan
Article 12	Rescind Article 35 of the 2001 Spring Annual Town Meeting
Article 13	Apply for Admission to Massachusetts Water Resources Authority
Article 14	Amend Zoning Bylaw: Use Regulation (Footnotes and References)
Article 15	Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)
Article 16	Amend Zoning Bylaw: Use Regulation (Zoning Districts)
Article 17	Amend Zoning Bylaw: Use Regulation (Update Use Categories and Definitions)
Article 18	Amend Zoning Bylaw: Site Plan Review Procedures
Article 19	Amend Zoning Bylaw: Special Permit Procedures
Article 20	Amend Zoning Map: Highway Mixed Use-I (HM-I) Zoning District
Article 21	Re-Zoning of 24 North Main St., 26 North Main St., 30 North Main St.
Article 22	Amend Zoning Bylaw Body Art Establishments in Downtown Mixed Use (DM) Zoning District
Article 23	To Ensure Safety of Residents living on Dead-End Streets
Article 24	Charter and ByLaw Review Committee Report and Extension

Article 25	Charter Change
Article 26	Bylaw Changes
Article 27	Roles and Responsibilities of the Personnel Board
Article 28	Appointment Authority for the Office of the Comptroller, Police Chief, and/or Fire Chief from Select Board to Town Administrator
Article 29	Eligibility of Finance Committee Members to Serve on Charter Commission
Article 30	Replace SATM 2023 Town Seal with 1876 Town Seal
Article 31	Safe & Fair Reproductive & Gender Affirming Care Access By-Law
Article 32	Paid Family Medical Leave for Town of Natick Employees
Article 33	Ensuring Stability: A Proposal for Fixed Annual Real Estate Tax for Long-Term Homeowners

Article 1
Committee Article
(Town Administrator)

To see if the Town will vote to hear and discuss the reports of town officers, boards, and committees; or otherwise act thereon.

Article 2
Fiscal 2024 Omnibus Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of; the Morse Institute Library and, the Bacon Free Library for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

or otherwise act thereon.

Article 3
Rescind Authorized, Unissued Debt
(Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

Article 4
Unpaid Bills
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

Article 5
Stabilization Funds
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Stabilization Fund established under Article 22 of 1961 Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Operational Stabilization Fund established under Article 4 of the 2011 Spring Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for, the Other Post-Employment Benefits Liability Trust Fund established under Article 15 of the 2017 Spring Annual Town Meeting pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016;

To see what sum of money the Town will vote to raise and appropriate, transfer from

available funds or otherwise provide for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the 2010 Fall Annual Town Meeting, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

or otherwise act thereon.

Article 6
PEG Access and Cable Related Fund
(Town Administrator)

To see what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F $\frac{3}{4}$ of the General Laws, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses; or otherwise act thereon.

Article 7
Capital Equipment and Improvement
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide to implement a Capital Improvement Program as may be required for capital equipment for the various departments of the Town of Natick; to protect the physical infrastructure of the Town of Natick, to add new physical infrastructure, or to improve community assets; and further to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

Article 8
Acceptance of M.G.L. Chapter 203C the Prudent Investor Rule
(Town Administrator)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 203C and to authorize the trustee of the OPEB Trust fund established under Article 15 of the 2017 Spring Annual Town Meeting, as authorized by Chapter 32B, Section 20 of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

Article 9
Appropriation of Opioid settlement moneys
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from the FY 2023 certified free cash to be expended in accordance with the Massachusetts State-Subdivision for Statewide opioid settlement funds; funds to be used to supplement and strengthen resources available to communities and families for substance use disorder prevention, harm reduction, treatment, and recovery or otherwise act thereon.

Article 10
Establish and Authorize Revolving Funds for
(1) Energy Efficiency and Electrification Rebates and Incentives and/or
(2) Recreation Programs and Activities
(Town Administrator)

To see if the Town will vote to amend Article 41A of the General By-Laws of the Town by adding new sections to establish and authorize the following revolving funds:

(1) to utilize monies received through state, federal and utility energy efficiency and electrification rebates, incentives and tax credits to fund future energy efficiency, renewable energy and electrification projects; and/or

(2) to utilize monies received through department program, user fees and donations to fund costs associated with department programs and services, as provided for under Massachusetts General Laws Chapter 44, section 53E1/2;

or otherwise act thereon.

Article 11
Personnel Board Classification and Pay Plan
(Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

Article 12
Rescind Article 35 of the 2001 Spring Annual Town Meeting
(Select Board)

To see what action the Town will take to rescind Article 35 of the 2001 Spring Annual Town Meeting, which accepted M.G.L. c. 31 Section 58A that provides a maximum age of 32 years for original appointment to the position of firefighter or police officer; or otherwise act thereon.

Article 13
Apply for Admission to Massachusetts Water Resources Authority
(Select Board)

To see if the Town will vote to apply for admission to the Massachusetts Water Resources Authority (MWRA) Water System to receive from the Massachusetts Water Resources Authority a supplemental public water supply for the Town of Natick in accordance with Chapter 372 of the Acts of 1984 of the Commonwealth and to authorize the Select Board, acting as Water Commissioners, to take such action necessary or required to apply for admission to and receive a supplemental public water supply for the Town of Natick from the Massachusetts Water Resources Authority, including, without limitation, filing legislation, payments of applicable fees and charges, and entering into an agreement with the Massachusetts Water Resources Authority as may be required or necessary to receive a supply of water at prevailing rates charged by the Massachusetts Water Resources Authority to communities in its water supply system, or to take any other action relative thereto.

Article 14
Amend Zoning Bylaw: Use Regulation (Footnotes and References)
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw to incorporate, modify, or delete existing footnotes and references including, but not limited to, amending § III.A. Use Regulations; or act in any other manner in relation thereto.

Article 15
Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, modifying, or deleting use sections, and then reordering the use sections and categories, including, but not limited to amending § III.A.2 Use Regulation Schedule; or act in any other manner in relation thereto

Article 16
Amend Zoning Bylaw: Use Regulation (Zoning Districts)
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw by relocating and amending use-related language from individual zoning district sections of the Zoning Bylaw to § III.A.2 (Use Regulation Schedule) with affected sections including but not limited to § III-B Highway Mixed Use-I (HM-I) Districts Use Regulations; § III-C Highway Mixed Use-II (HM-II) Districts Use Regulations; § III.D Use Regulations for LC Districts; § III.E Downtown Mixed Use District (DM); § III.EE Center Gateway District; or act in any other manner in relation thereto

Article 17
Amend Zoning Bylaw: Use Regulation (Update Use Categories and Definitions)
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, deleting, or modifying definitions, use categories, and permitting requirements by zoning district, including, but not limited to amending Section 200 – Definitions; § III.A.2 Use Regulation Schedule; or act in any other manner in relation thereto.

Article 18
Amend Zoning Bylaw: Site Plan Review Procedures
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw by modifications including, but not limited to, § VI-DD Special Permit Procedures and Site Plan Review and Section 200 – Definitions to provide clear, transparent, and efficient permitting review process; or act in any other manner in relation thereto.

Article 19
Amend Zoning Bylaw: Special Permit Procedures
(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaw by modifications including, but not limited to, § VI-DD Special Permit Procedures and Site Plan Review and Section 200 – Definitions to provide clear, transparent, and efficient permitting review process; or act in any other manner in relation thereto.

Article 20
Amend Zoning Map: Highway Mixed Use-I (HM-I) Zoning District
(Town Administrator)

To see if the Town will vote to amend the Natick Zoning Map to rezone parcels of land identified as Assessor's Map 17, Lots 11 and 12 (1053 Worcester St); Map 25, Lot 252B (1071 Worcester St); Map 25, Lot 252A (1085 Worcester St); Map 25, Lot 253A (1093 Worcester St); Map 17, Lot 10 and Map 25, Lot 253B (1131 Worcester St); Map 25, Lot 253 (1187 Worcester St) from Industrial-II (IN-II) to Highway Mixed Use-I (HM-I) Zoning District; rezone the respective frontages of Assessor's Map 25, Lot 252A; Map 25, Lot 252B; Map 25, Lot 253A; and Map 25, Lot 253B to the centerline of the roadway (Worcester Street/Route 9) as Highway Mixed Use-I (HM-I); or act in any other manner in relation thereto.

Article 21
Re-Zoning of 24 North Main St., 26 North Main St., 30 North Main St.
(Kenneth B. Phillips, et al.)

“To see what action(s) the Town will take to re-zone the properties located at 24 North Main Street, Parcel ID: 43-00000468; 26 North Main Street, Parcel ID: 43-00000469; 30 North Main Street, Parcel ID: 35-00000039, from Residential General (RG) to Downtown Mixed Use (DM), or Commercial II (CII), or Center Gateway (CG), or otherwise act thereon.”

Article 22
Amend Zoning Bylaw Body Art Establishments in Downtown
Mixed Use (DM) Zoning District
(Paul R. Joseph, et al.)

To see if the Town will vote to amend the Natick Zoning ByLaw and Use Regulations Schedule to allow Body Art Establishments in the Downtown Mixed Use (DM) Zoning District; and to amend the definition of Body Art in section 1- General, Section 200 (Definitions) of the Natick Zoning ByLaws to include “Permanent Make-up and “Microblading” within the description of the “practice of physical body adornment;” or otherwise act thereon.

Article 23
To Ensure Safety of Residents living on Dead-End Streets
(Roger G. Scott, et al.)

To see if the Town will vote to amend the zoning bylaws to limit the number of new housing units that can be built on a residential street consisting of five or fewer existing single family residences to a maximum of fifteen units, or to take any other action with respect thereto.

Article 24
Charter and ByLaw Review Committee Report and Extension
(Charter and ByLaw Review Committee)

To see what action the Town will take to hear and to discuss a report of the Charter and ByLaw Review Committee,

To see what action the Town Meeting will take to extend the term of the Charter and ByLaw Review Committee

Article 25
Charter Change
(Charter and ByLaw Review Committee)

To see what action(s) the town will take, consistent with the scope of this town meeting warrant article, to vote the language of and to authorize the filing of a Home Rule Petition for Special Act Legislation with the General Court involving any or all of the following changes to the Charter and to see if the Natick representative town meeting will consider the following comprehensively or in segments or sub segments as follows:

Representative Town Meeting - Charter Article 2

- (1) to amend or modify the language of Charter Article 2 to decrease or increase the number of representative town meeting members;
- (2) to amend or modify the language of the provisions in Charter Article 2 regarding filling of vacancies in representative town meeting and/or to amend or modify the provisions regarding the caucus procedure in Charter Article 2;
- (3) to create provisions in Charter Article 2 or other Charter articles or sections regarding removal of representative town meeting members, to specify the causes or basis thereof and or to authorize such provisions to be developed in a bylaw;
- (4) to amend or modify the language regarding the quorum of representative town meeting to reflect any changes above;
- (5) to amend or modify the language regarding the initiation of town meeting warrant articles under Charter Article 2, section 2-11(b) by multiple member bodies to be only those articles sponsored by multiple member bodies with an existence and charge created by statute, charter, bylaw or vote of town meeting or to provide that any warrant articles sponsored by an appointed multiple member body that was not created and given a charge in statute, charter, bylaw or vote of town meeting, be, prior to filing, subject to the approval of the appointing authority for such

multiple member body and/or to create a new definition in Charter Article 7 for an authorized multiple member body and to use that definition in Charter Article 2, section 2-11(b) to replace the term “multiple member body”;

(6) to amend or modify the language in the first part of Charter Article 2, section 2-11(b) to provide that the Select Board insert in the warrant all petitions which are received by and/or addressed to the Select Board pursuant to section 2-11(b);

(7) to amend or modify the language of the provisions of Charter Article 2, section 2-10 pertaining to attendance of all town employees and or representatives from any or every town agency at all sessions of representative town meeting and instead to authorize the Moderator to require and to schedule attendance of town employees and town agencies as appropriate consistent with the nature of business pursuant to warrant articles, to arrange for town agencies not in attendance to be contacted by the Moderator during a session of representative town meeting, to authorize hybrid attendance by town employees and agencies and /or to provide for alternatives to the current charter requirement on attendance to be addressed in a bylaw.

Elected Officers - Charter Article 3

(8) to amend or modify the language of Charter Article 3, section 3-1(f) to exclude the Moderator and committees appointed by the Moderator and with regard to other elected officer to limit the scope of Charter Article 3, section 3-1(f) to matters involving joint activities, policies or administrative matters and to add language within the text referencing or strengthening the coordination provision;

(9) to eliminate the provisions for preliminary elections in Charter Article 3, section 3-1(d) and to provide that town wide officers elected with less than a majority for a particular position be elected to a truncated term serving only until the next regular local election and/or to provide that such position to be filled at the next regular local election shall be the balance of the original non truncated term and/or to provide for ranked choice voting, as practical or otherwise, as an alternative solution to eliminating the provisions for preliminary elections in Charter Article 3 and/or to remove obsolete references, if any, to an elected town clerk from Charter Article 3, section 3-1-(a);

(10) to include in the language within Charter Article 3, section 3-12(b) that the recreation and parks commission shall be authorized also to advise the Select Board on policies and practices for parks and recreation within the Town.

Select Board - Charter Article 3, section 3-2

(11) to amend or modify the language of the powers and duties and/or appointment powers of the Select Board under Charter Article 3 to have certain appointments instead made by the town administrator, to specify such appointments, to specify which if any such appointments would be subject to the review and affirmative vote approval of the Select Board, (provided that any such change to additional duties, powers and/or appointing authority for the town administrator under this paragraph and under any paragraph above or below can only occur if provisions for removal or suspension for the Town Administrator currently provided for in Charter Article 4 are changed to less than unanimous attendance by the Select Board) and/or to modify or amend the language in Charter Article 4, section 4-2-3 and or elsewhere to specify or to authorize any appointments to be made subject to review and affirmative vote approval of the Select Board;

(12) to modify the restriction currently in Charter Article 3 section 3-2 on the Select Board broad policy guidelines to allow specific policies that are capable of being followed by others serving under the overall supervision or authority of the Select Board but still not involving involvement by the Select Board in day to day operations or administration and /or to specify that the chief policy making agency role of the Select Board is a role exercised as a town agency;

(13) to amend or modify the language in Charter Article 3, section 3-2 of the powers and duties of the Select Board to include or to specify that the Select Board shall serve in a policy making, review and oversight capacity as the commissioners of parks, public works, roads, water and sewer, police, fire and other functions, if any, to be specified;

(14) to specify, within Charter Article 3, section 3-2(b) or elsewhere in Charter Articles 3 or 4, that performance review of the town administrator is to be conducted by the Select Board both on its own behalf and on behalf of the town overall and other elected officers, their appointees and representative town meeting.

Town Counsel - Charter Article 3; Charter Article 6

(15) to amend or modify the language with regard to town counsel either

(i) to amend or modify the language of the appointment of town counsel in Charter Article 3, section 3-2 to remove the singular and one year limitation and to provide that such appointment(s) be subject to bylaw, if any, and to permit, subject to bylaw, if any, other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties;

(ii) to remove the references in Charter Article 3, section 3-2 regarding town counsel and provide for such Select Board appointment of town counsel within Charter Article 6; and/or

(iii) to amend or modify the language of Charter Article 6 to authorize other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties.

Moderator - Charter Article 3-10

(16) (i) to authorize the Moderator in Charter Article 3 section 3-10 (b) to appoint a deputy moderator to preside over representative town meeting in the absence of the Moderator, or (ii) in the alternative, in an additional section or subsection under Charter Article 3, to provide for such deputy moderator as an elected office of the town, and/or (iii) to authorize the town to specify the term, duties and responsibilities and other provisions of such Deputy Moderator in Charter Article 3 and/or a bylaw and/or (iv) to determine whether any appointment of a Deputy Moderator should be subject to the approval of representative town meeting.

Town Administrator - Charter Article 4

(17) to amend or modify the language of Charter Article 4 (and other associated references within the Charter) to rename the town administrator position as town manager, to provide additional appointments to be made by the town administrator whether in the charter or in bylaw, to authorize contract approval powers of the town administrator to be developed in a bylaw, to provide the town administrator a screening and or recruitment role in appointments retained by the Select Board;

(18) to amend or modify the language of the provisions, procedure and/or requirements for attendance by and/or quantum of vote of the Select Board in Charter Article 4 regarding removal or suspension of the town administrator (provided that any change to create additional duties, powers and/or appointing authority for the town administrator under this paragraph or any paragraph above or below can only occur if the provisions for the removal or suspension of the Town Administrator under Charter Article 4 are changed to less than unanimous attendance by the Select Board) and further to provide that any new or revised process in Charter Article 4 be no more burdensome or onerous or disadvantageous to the Select Board than the existing process, and/or to require that any employment contract with the town administrator be consistent with the provisions of the Charter notwithstanding any other provision of the general laws to the contrary;

(19) to amend or modify the language of the provisions in Charter Article 4, section 4-1 on the appointment of a town administrator regarding a minimum term of three years and a maximum term of five years to authorize a lesser minimum term and/or a lesser maximum term;

(20) to amend or modify or to remove the current reference to personnel board and its role in Charter Article 4, section 4-2(4) to provide (i) that the town administrator may be assisted or advised by a personnel board and (ii) that the extent of the role of the personnel board, if any, be specified in a bylaw;

(21) to amend or modify the reference to Generally Accepted Accounting Principles in Charter Article 4, section 4-2(13) and to authorize de minimis or immaterial exceptions to the inventory requirement.

Matters and Provisions in Charter Article 6

- (22) to remove the text of Charter Article 6, section 6-3 Office of the Comptroller and Charter Article 6, section 6-4 Town Treasurer Collector and to authorize the subject matter of the appointments, qualifications, terms of office, powers and duties, vacancies and assistants, if any, to be provided in bylaw and/or to provide that the existing text of Charter Article 6, sections 6-3 and 6-4 shall remain in effect until a bylaw dealing with any or all of the existing provisions of Charter Article 6, sections 6-3 and 6-4 respectively are adopted and in effect;
- (23) to authorize the town administrator to make minor changes, with the approval of the Select Board, to the town's administrative organization and creation or abolition of new positions of town agencies serving under the control of the town administrator and to establish the conditions for such reorganizations and to define and or to limit the authorizable scope of such minor reorganizations with such authorizable scope possibly but not necessarily being limited to (i) town agencies with similar or overlapping technical disciplines, (ii) actions which do not modify or contradict the bylaws regarding any town agency, or (iii) other limitation(s);
- (24) to authorize or provide for the appointment or selection of town counsels and or special town counsels whether in the Charter itself or to create a Charter provision to authorize for such appointments to be provided within the town bylaws;
- (25) to provide that reorganizations, creation or abolition of town agencies by bylaw shall take precedence over administrative code actions and to define the term "administrative code";
- (26) to insert language in Charter Article 6 providing for existing, new or changed appointments to be made by the Select Board and/or town administrator, and/or to specify which appointments made by the town administrator will be subject to the review and affirmative vote approval of the Select Board and/or to modify or to delete language on appointments accordingly in Charter Article 3 and Charter Article 4 Section 4-2-3 respectively;
- (27) to insert language in Charter Article 7, section 7-9 providing that meetings of multiple member bodies shall or can be called either by the chairperson or 1/3rd of the members of such multiple member bodies and to provide for the ways and means of notice of such meetings to all members of such multiple member bodies;
- (28) to amend or modify the language of Charter Article 7, section 7-10 to make clear that the requirement for public notices of vacancies in appointed positions includes and applies to expirations of appointed terms whether or not a vacancy as such has occurred or is anticipated to occur.

Other

- (29) to develop transition provisions, develop new definitions or modify existing definitions to implement any or all of the above as applicable;
- (30) to amend or modify the text of the Charter Articles 1 through 7 inclusive to remove gender specific references and adopt gender neutral, position specific or position neutral references in their place; and/or to remove obsolete references, if any, in Article 3 regarding an elected town clerk;
- (31) to amend or modify the language in Charter Articles 1 through 7 inclusive of the requirements and or definitions regarding postings in a local newspaper;
- (32) to specify whether any Home Rule Petition for Special Act provided for herein shall only take effect upon approval by the voters by ballot;
- (33) to consolidate any or all of the above into a single or more Home Rule Petitions for Special Acts;
- (34) to authorize the Charter and ByLaw Review Committee and/or Moderator and/or Select Board to file the Home Rule Petition for Special Act;
- (35) to authorize the General Court with the approval of the Town of Natick Charter and Bylaw Review Committee reasonably to modify the Home Rule Petition for Special Act if any, adopted by vote of the representative town meeting pursuant to this town meeting warrant article which modifications are to be consistent with the general public policy objectives of this Home Rule Petition;

Or to take any other action related thereto.

Article 26
Bylaw Changes
(Charter and ByLaw Review Committee)

To see what actions the town will take to amend Article 3 of the Bylaws for Procedure at Town Meetings to make changes with regard to:

Article 3 of the Bylaws, as follows:

- (1) Modifying the requirements for the motion for the previous question or removing the existing language to allow Town Meeting to be consistent with Town Meeting Time and the requirements therein contained;
- (2) Allowing the Moderator call the previous question and to establish requirements, if any, for such call;
- (3) Defining No Action as a positive, negative or neutral (non-negative) motion;
- (4) Defining and or distinguishing between Referral and Indefinite Postponement and/or creating an additional new negative motion;
- (5) Creating a consequence for Indefinite Postponement for non-zoning articles and motions;
- (6) Defining, preventing and/or regulating repetitive petitions;
- (7) Authorizing Town Meeting to dissolve at any time and to define the conditions under which such dissolution can occur;
- (8) Distinguishing between referral and referral with request for follow up or action or creating and defining a new motion for such;
- (9) Authorizing Town Meeting to vote multiple line item budgets and/or single appropriations containing multiple line item budget components which could allow the Town Administrator with the approval of the Select Board to transfer money from one line item to another within that single appropriation, provided that such transfers cannot be made from any school department budget and that such transfers must be reported to the finance committee and to the subsequent town meeting;
- (10) Authorizing expanded or existing use of a consent agenda and set the parameters for use of consent agenda or agendas;
- (11) Amending the table of motions, quantum of vote and footnotes consistent with the foregoing, including deleting each appearance therein of the term "2/3 Majority" and inserting in its place "2/3 Vote";
- (12) Defining the scope of permissible relevant debate at representative town meeting;

And further

To see what changes the town will make to change and conform Article 10 Section 1 of the Bylaws with regard to the Select Board powers and duties for the general direction and management of the property and affairs "in all matters not otherwise provided for" to be consistent with the Town Charter and clarify that the provisions of said Section 1 pertain to administrative and not to legislative matters within the Town;

And further

To see what changes the town will make to Article 1 Town Elections and Town Meeting Section 2 Special Town Meetings to modify the provisions for posting in a local newspaper and/or to modify the 28 day advance notice provision;

And further

To see what changes the town will make to the bylaws for such other bylaw amendments as may be necessary to conform the bylaws to any votes of the representative town meeting at this 2023 Fall Annual town meeting to change the town charter whether by special act or otherwise;

Or otherwise act thereon.

Article 27
Roles and Responsibilities of the Personnel Board
(Select Board)

To see what action the Town will take to amend the Natick Home Rule Charter and/or the Natick General Bylaws to amend, change, clarify and/or further define the roles and responsibilities of the Personnel Board, inclusive of any powers and duties of the Board as noted in the Charter and Bylaws; or otherwise act thereon.

Article 28
Appointment Authority for the Office of the Comptroller, Police Chief, and/or Fire Chief from Select Board to Town Administrator
(Select Board)

To see what action the Town will take to amend the Natick Home Rule Charter and the Natick General Bylaws to change the appointment authority for the positions/officers of the Office of the Comptroller, Police Chief, and/or Fire Chief positions from appointed positions/officers by the Select Board to appointed positions/officers by the Town Administrator, inclusive of any powers and duties of the positions as noted in the Charter and Bylaws; or otherwise act thereon.

Article 29
Eligibility of Finance Committee Members to Serve on Charter Commission
(Joshua Ostroff, et al.)

To see if the Town will vote to amend the Town of Natick Bylaws to permit Finance Committee members to serve on an elected Charter Commission, or otherwise act thereon.

Article 30
Replace SATM 2023 Town Seal with 1876 Town Seal
(Jeffrey Alderson, et al.)

To see if the town will vote to replace the Town seal that was approved at the Spring Town Meeting 2023 and reinstate the original Town of Natick seal approved in 1876, or otherwise act thereon.

Article 31
Safe & Fair Reproductive & Gender Affirming Care Access By-Law
(Cody Jacobs, et al.)

To see if the Town will vote to adopt by-laws protecting access to reproductive care and/or gender affirming care in Natick and/or ensuring transparent access to information about the availability of these services; or otherwise act thereon.

Article 32
Paid Family Medical Leave for Town of Natick Employees
(Kat Monahan, et al.)

Move that pursuant to M.G.L.c 4 §4 and M.G.L.c 175m §10, the Town accept the following Massachusetts General Laws pertaining to Paid Family Medical Leave:
M.G.L.c 175M
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXII/Chapter175M>

Article 33
Ensuring Stability: A Proposal for Fixed Annual Real Estate Tax for Long-Term Homeowners
(Roger G. Scott, et al.)

To see if the Town will vote to authorize: Homeowners who have been residents of the Town of

Natick for twenty-five years, have consistently paid their real estate taxes, and continue to live in the same residence, have their real estate tax amount fixed at the rate of the twenty-fifth year for as long as they remain in the home as their primary residence or take any other action with respect thereto.

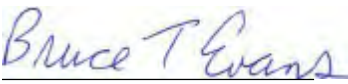
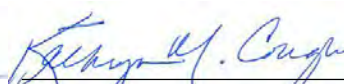



You are directed to serve this Warrant by causing an attested copy of said Warrant to be posted in the Post Office in said Natick, and at the following public places in said Natick, to wit: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Recreation Center, 179 Boden Lane; Precinct 3: Kennedy Middle School, 165 Mill St.; Precinct 4: 2 Summer Street; Precinct 5: Wilson Middle School, 22 Rutledge Road; Precinct 6: East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7: Lilja Elementary School, 41 Bacon Street; Precinct 8: Natick High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street; and Precinct 10: Memorial Elementary School, 107 Eliot Street.

Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the Natick U.S. Post Office, Town Hall, Bacon Free Library and Morse Institute Library seven days at least before October 17, 2023; also by causing the titles of the Articles on the Warrant for the 2023 Fall Annual Town Meeting to be published once in the Newspaper called "The Metrowest Daily News," with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be August 24, 2023.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.

Given under our hands this 21st day of August, 2023.

Select Board for the Town of Natick

 Bruce T. Evans, Chair	 Kathryn M. Coughlin, Vice Chair	 Richard Sidney, Clerk
 Paul Joseph Member	 Kristen L. Pope Member	

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 a.m. - 5:00 p.m., Monday through Wednesday; 8:00 a.m.- 7:00 p.m. on Thursday; and 8:00 a.m.-12:30 p.m. on Friday. The Warrant may also be accessed from the Town website www.natickma.gov.